

Appendix B

Scoping Report

SCOPING PACKAGE

POKAGON BAND OF POTAWATOMI INDIANS
TRIBAL VILLAGE FEE-TO-TRUST ACQUISITION AND CASINO
SOUTH BEND, INDIANA
ENVIRONMENTAL IMPACT STATEMENT (EIS)

Prepared For:

US Department of the Interior
Bureau of Indian Affairs
Midwest Regional Office
5600 West American Boulevard, Suite 500
Bloomington, MN 55437

On Behalf of:

Pokagon Band of Potawatomi Indians
58620 Sink Road
Dowagiac, MI 49047

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January 2013

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Scoping Package for an Environmental Impact Statement (EIS) for the Pokagon Band of Potawatomi Indians Tribal Village Fee-to-Trust Acquisition and Casino -South Bend, Indiana

Section 1.0 Scoping Summary

1.1 Introduction

The Bureau of Indian Affairs (BIA), as lead agency intends to prepare an Environmental Impact Statement (EIS) regarding the Pokagon Band of Potawatomi Indians (the Tribe) proposed tribal village fee-to-trust acquisition for 17 parcels of land with a total acreage of 164.22, more or less, which are located in St. Joseph County, Indiana and subsequent residential commercial development and/or gaming facility.

The EIS Scoping Process

Scoping is the term used in the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Protection Act (NEPA) [40 Code of Federal Regulations (CFR) Part 1500 et seq.] to define the early and open process for determining the scope of issues to be addressed in the EIS. Scoping is the process through which cooperating agencies and interested persons are identified and significant issues and alternatives to be addressed in the EIS are determined. BIA's NEPA guidebook (59 IAM 3-H, as amended) indicates that a scoping report explains the purpose and need for the proposed action, describes the proposed action and alternatives considered, summarizes the issues identified during the scoping process, lists the cooperating agencies, summarizes scoping meetings, and is available to anyone that requests a copy. The scoping of NEPA documents begins with a standard outline of resources that might be impacted by alternative federal actions. The standard list is contained in the BIA NEPA Guidebook (Section 4.4.E). This provides an outline for EIS chapters 3 and 4 into which all of the issues and concerns identified in the scoping process will be categorized for the EIS analysis process.

The Role of Atkins

Atkins is acting as the third party contractor selected by and at the direction of the BIA. Under the terms of a three-party agreement with BIA and Pokagon Band, Atkins takes direction from, and is under the sole control of, the BIA, which is the entity responsible for the review and approval of the EIS to be prepared by Atkins. Atkins is an independent consulting firm, and neither it, nor its principals, employees, or agents, are employees of the Tribe or the BIA. Atkins is submitting all work products, reports and studies prepared by Atkins or assembled under its direction and oversight directly to the BIA. Atkins has asserted to the BIA that it has no financial or other interests in the outcome of the project, including but not limited to results of the environmental analysis or the BIA's decision regarding the approvals for the project. Atkins was the original consultant selected to

prepare the Environmental Impact Statement (EIS); however, other consulting firms have collected data utilized in the report.

Federal Actions

The Tribe has submitted an application requesting the U.S. Department of Interior, Bureau of Indian Affairs (BIA), under 25 CFR 151.4, accept into trust status for the benefit of the Pokagon Band of Potawatomi Indians certain real property on the Tribe's behalf 17 parcels of land with a total acreage of 164.22, more or less, which are located in St. Joseph County, Indiana to develop housing, community spaces, and government office space on the property as a mixed-use "tribal village" to facilitate the re-establishment of a distinct Pokagon community within Northern Indiana. The rule 25 CFR 151.4 allows for the Secretary of the Interior to oversee the "Unrestricted land owned by an individual Indian or a tribe to be conveyed into trust status, including a conveyance to trust for the owner, subject to the provisions of this part. " Proposed development for the property also includes a Class III gaming facility with a hotel, restaurants, meeting space, and a parking garage. The property will also include a Class III gaming establishment, to be operated in accordance with the federal Indian Gaming Regulatory Act (IGRA), 25 U.S.C. §2701 et seq.

Purpose and Need

The purpose of this project is to help create a tribal land base and to meet the Tribe's economic development needs in Indiana. The Tribe is federally recognized, but does not currently have a federally protected reservation or have land that is held in trust for the Tribe by the United States in the State of Indiana. The proposed tribal village will meet four main needs of the Pokagon tribe within Indiana.

1. An increased tribal land base and the first tribal land base in Indiana, which will provide suitable and healthy housing for a growing Band citizenship.
2. The need for community-focused spaces.
3. The need for a suitable location for the delivery of tribal government services to the Band's Indiana community.
4. The need for a suitable location for commercial development to provide economic and employment opportunities for the Band's South Bend area community.

1.2 Notice of Intent

A Notice of Intent (NOI) to prepare an EIS was published in the Federal Register on August 24th, 2012 with the comment period extending to October 9, 2012. Public notices were also published in the South Bend Tribune on September 24th, 2012. During the scoping period, comments could be sent to the Bureau of Indian Affairs (BIA) or could be submitted during the public informational meeting that was held during the scoping period.

In addition to the publishing the NOI, letters were sent out on September 12th, 2012, to a mailing list of federal, state, local entities and identified concerned citizens. Copies of the NOI, the mailing list and the affidavits for the newspaper publishing are included in Section 2.0.

Public comments were received via oral comments and comment cards returned at the scoping meeting and from written comments received from interested individuals, organizations, and government agencies. All forms of public comment will be taken into consideration during the preparation of the

EIS. The comments provide a mechanism by which public input can be incorporated into the impacts analysis for the proposed action and alternatives.

1.3 Public Information Meeting

The BIA held a public scoping meeting September 27th, 2012 to solicit public comment regarding the Tribe's proposed tribal village fee-to-trust acquisition and casino in South Bend, IN. The meeting was held at the Century Center in South Bend, IN. Attendees were asked to sign in and fill out comment cards, which included a check box to be marked if they wanted an opportunity to speak. Handouts were available that explained the intention of the meeting and provided contact information for Scott Doig, the BIA representative and team leader for the EIS process. Copies of the sign-in sheets and handout are available in Section 3.0. Two (2) display boards were available for the public to review before and after the presentation and were shown on a large screen during the presentation and open comment period for reference. The display boards, copies of which are provided in Section 3.0, included the following information;

1. Location map of South Bend Site and Elkhart Site
2. South Bend Consolidation Site-Plan Development

The purpose of the meeting was to explain the proposed project to the public and provide a forum for the public to comment. Comments are used to help identify key issues, concerns, and evaluation criteria for the upcoming EIS analysis. Sixty-six individuals signed in at the meeting and 10 provided oral comments. The meeting began at 6:00 P.M. eastern daylight time and was concluded at approximately 6:38 P.M. Scott Doig, on behalf of the BIA, opened the meeting by welcoming everyone to the meeting, introducing the panel, and explaining the purpose of the meeting. Scott then introduced Chris Miller with Atkins who read from the NOI and further reiterated the process. Following the presentation, those that had indicated they wanted to speak were called to the microphone one at a time and were given three minutes to address the BIA and the room. A certified court reporter was available to record the proceedings and comments. A record of the transcripts is provided in Section 4.0. A summary of all the comments received during the meeting is provided in Table 1 and copies are included in Section 5.0.

1.4 Other Comments

In response to the notices mailed out to the mailing list, the published NOI and/or information provided at the scoping meeting, eight comments were received during the scoping period. These comments are summarized in Table 2.0 and copies are included in Section 6.0.

Table 1.0 Summary of Comments Received Verbally During Scoping Meetings

Originator	Summary of Scoping Comments	Provide Verbal comment
Dean Marquolo	1. His understanding is that the Pokagon tribe purchased land in the southwest quadrant of the bypass (20) & SR23 and he would like to know if there are any plans for this land. 2. He believes this land is the headwaters for the Grand Kankakee River and would like to know what kind of safeguards there will be if the water is polluted upriver. 3. He would like to know what safeguards will be put in place to protect Magnolia Drive from becoming a highway. 4. He believes that this area is habitat for the painted box turtle, what safeguards will be put in place to protect them?	Yes
Todd Kepschell	1. he is concerned about how the proposed project will affect property values of homes on Locust Road. 2. He is inquiring about the sale of property near his home. 3. He also wonders if there are going to be any additional homes going to be purchased on the W. side of Locust?	Yes
Greg Pink	1. He would like to be updated during process. 2. He would like to understand the comment periods and approval process. 3. He would like copies of diagrams as they change through EIS comments.	Yes
KR Palmer	1. He agrees with Tribal grounds but does not agree with the proposed casino.	Yes
David Pink	1. He is concerned that the ground is contaminated. 2. He also believes that there is marginal ground capacity.	No
Connie S. Anderson	1. She approves of all aspects of the project, including the casino. 2. She feels the the jobs are needed.	No
Richard Walker	1. He would like casino in South Bend because he wants the money in the area not elsewhere. 2. He also feels the local jobs are needed.	No
Dawn Holland	1. She is extremely opposed to a casino in her neighborhood and stated that her church is across the street. 2. She does support the housing portion of the project.	No
Sal Gerschoffer	1. He is concerned about what the drinking water be like in the area will be like.	No
Jim Sheetz	1. He feels the project provides work opportunities for local trades people.	Yes
Blackie and Joan Molls	1. They feel the proposed development location is to close and should be placed further out south.	No
Larry Scheibelhut	1. He supports the housing and health center because it would provide construction jobs. 2. He shared that he was raised to save his money but some of his friends have lost a lot due to gambling.	Yes

Gene A. Walkeson	1. He is concerned about the possible increase in traffic over the hill on SR23.	Yes
Mike McFarland	1. He supports tribal village but not casino. 2. He is a retired casino dealer and has seen the damage casinos do to people and families.	Yes
Rhonda Richards	1. She welcomes the Pokagon Band back to the land and supports the village development. 2. She does has a major concern with the casino. She feels the casino will lead to increased crime, increase adult businesses and destroy families.	Yes
Dave Thomas	1. He provided a rich history of the area and the Pokagon Band. 2. He supports the development of the tribal village and casino. 3. He feels the Pokagon people have demonstrated their commitment to Michigan and to Mother earth. 3. He stated that the proposed local settlement will continue the rich history of the Pokagons sharing with all, for the betterment of all. 4. The economic impact will be a major and permanent boost to the local economy and a magnet for future development.	Yes

Table 2.0 Summary of Scoping Comments Received in Letter Form or Via Email

Date	Originator	Summary of Scoping Comments
9-Oct-12	David Pink	<ol style="list-style-type: none"> 1. He is concerned that the construction of a high density dwelling in the area has raised the ground water level. 2. Several previous DNR studies have shown the land can only marginally support a one story single family dwelling. 3. Previous studies have shown that area roads, especially Locust Road, are insufficient for the anticipated increase in vehicle traffic. 4. A project manager has been hired therefore the process must be further along then is being told to the public. 5. He is concerned about the existing pile of contaminated soil piled along the west edge of Locust Road.
9-Oct-12	State of Indiana House of Representatives; Brian C. Bosma (Speaker), Bill Friend (Majority Floor Leader), Kathy Richardson (Majority Caucus Chair)	<ol style="list-style-type: none"> 1. The purpose of the letter is to express opposition to the proposal to build a casino in North Central Indiana. 2. The State of Indiana statutorily limits where gaming facilities can be located. The proposed project will result in an expansion of gaming beyond the locations and licenses already authorized by the Indiana General Assembly. 3. They are concerned about the negative impact on state and local government revenues. 4. State licensed casinos pay on average 38% of their gaming revenue to state and local governments whereas Native American gaming facilities in Michigan paid on average 3.6%.
9-Oct-12	Jim Arnold	<ol style="list-style-type: none"> 1. He supports the housing units and healthcare facilities and is disappointed that the casino has become the focus since it is not the top priority. 2. He believes that establishing another casino would offset the balance of gaming facilities established by the General Assembly.
29-Aug-12	Ann Preissing	<ol style="list-style-type: none"> 1. She feels that South Bend is a "Dead City". 2. She has Offered to do talks to groups suffering with addiction.

6-Oct-12	Ellen Stanley	<ol style="list-style-type: none"> 1. She supports the residential and community buildings but is against a casino. 2. Feels casinos are; a negative sum business and gamblers cost American society 5 billion. 3. The National Gambling Impact Commission reports a trend indicating addiction doubles in populations within 50 miles of a casino. 4. Studies show that gamblers affect the lives of 7-10 other people. 5. She also states that there is a direct link between problem gambling and increase in divorce, child abuse, domestic violence, crime, bankruptcy and suicide.
18-Sep-12	Kenneth Westlake, Chief, NEPA Implementation Section	<ol style="list-style-type: none"> 1. The DEIS should include a thorough analysis of environmental justice concerns. 2. The DEIS should discuss BIA's compliance with Titles III, IV and V of the Energy Independence and Security Act of 2007 and LEED. 3. They encourage BIA to utilize bioretention as a measure to manage stormwater. 4. If there are wetland impacts the DEIS should discuss how sequencing established by the Clean Water Act Section 404 (b)(1) guidelines will be applied. 5. Include in DEIS a list of agency contacts that will receive the DEIS.
9-Sep-12	Judith Overmyer	<ol style="list-style-type: none"> 1. Concerned about the resulting bypass traffic noise. 2. Christmas tree farm could be incorporated into the plan and serve as a source of revenue and jobs.
12-Oct-12	State of Indiana House of Representatives- Scott D. Pelath (Assistant Minority Leader)	<ol style="list-style-type: none"> 1. He is strongly opposes the fee to trust application for the purpose of building a new casino because it would destroy jobs in his community. 2. He believes the region's gaming market is highly saturated. 3. The proposed casino is against Indiana law that designates 13 licensed facilities in certain designated communities. 4. State licensed casinos pay on average 38% of their gaming revenue to state and local governments whereas Native American gaming facilities in Michigan paid on average 3.6%.

1.5 Cooperating Agency List

According to the Bureau of Indian Affairs Guidebook a cooperating agency is “any federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed action may become a cooperating agency. (See 40 CFR 1501.6; 43 CFR 46.225)”. The following agencies have been requested to be cooperating agencies;

U.S Environmental Protection Agency
Indian Environmental Office
77 West Jackson Blvd (R-19J)
Chicago, IL 60604-3590

U.S Army Corps of Engineers
Great Lakes and Ohio River Division, Detroit District
McNamara Federal Building
477 Michigan Ave
Detroit, MI 48226-2575 Avenue

U.S Department of Interior-Fish and Wildlife Service
Midwest Regional Office
BHW Federal Building
1 Federal Drive
Ft. Snelling, MN 55111

National Indian Gaming Commission
National Headquarters
1441 L Street NW
Suite 9100
Washington, DC 20005

Indiana Department of Environmental Management
Northern Regional Office
300 N. Michigan Street, Suite 450
South Bend, IN 46601-1295

Indiana Department of Natural Resources
Division of Historic Preservation and Archeology
402 West Washington Street, W274
Indianapolis, IN 46204

Indiana Department of Transportation
La Porte District
P.O. Box 429
LaPorte, IN 46352

Board of Public Works
227 West Jefferson Blvd. Suite 1300 N
South Bend, Indiana 46601

Chairman Matthew J. Wesaw
Pokagon Band of Potawatomi Indians
PO Box 180
5860 Sink Road
Dowagiac, MI 49047

Section 2.0 Notice of Intent

Department of the Interior, Bureau of Indian Affairs, Published Notice of Intent August 24th, 2012, in the Federal Register, Volume 77, Number 165.

Scoping Comment Solicitation Letter

Mailing List

Affidavit and Proof of Publication



Estimated Number and Description of Respondents: Approximately 50 University or College faculty annually and approximately 45 State Geological Surveys.

Annual Burden Hours: 5,220 hours.
Estimated Annual Reporting and Recordkeeping "Hour" Burden: We expect to receive approximately 50 applications for EDMAP and 45 applications for STATEMAP each year which takes each applicant approximately 36 hours to complete, totaling 3,420 hours. This includes the time for project conception and development, proposal writing and reviewing, and submitting a project narrative through Grants.gov. We expect to issue 45 EDMAP and 45 STATEMAP grants per year. The grant recipients are also required to submit a final technical report which takes each grant recipient approximately 20 hours to complete, totaling 1,800 hours.

Estimated Annual Reporting and Recordkeeping "Non-Hour Cost": We have not identified any "non-hour cost" burdens associated with this collection of information.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Comments: To comply with the public consultation process, on February 27, 2012, we published a Federal Register notice (77 FR 11565) announcing our intent to submit this information collection to OMB for approval. In that notice we solicited public comments for 60 days, ending on April 27, 2012. The USGS received one comment. The comment was a general invective about the Federal government. It did not address, and was not germane to, this information collection. Therefore, we have not changed the collection in response to the comment.

We again invite comments concerning this IC on: (a) Whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, usefulness, and clarity of the information to be collected; and (d) ways to minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology. Please note that any comments submitted in response to this notice are a matter of public record. Before including your address, phone

number, email address or other personal identifying information in your comment, you should be aware that your entire comment including your personal identifying information, may be made publically available at any time. While you can ask OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that will be done.

Dated: August 20, 2012.

Douglas A. Howard,

Associate Program Coordinator, National Cooperative Geologic Mapping Program.

[FR Doc. 2012-20878 Filed 8-23-12; 8:45 am]

BILLING CODE 4311-AM-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino Project in the City of South Bend, St. Joseph County, IN

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA), in cooperation with the Pokagon Band of Potawatomi Indians (Tribe), intends to gather the information necessary for preparing an Environmental Impact Statement (EIS) for the conveyance into trust of 164.22 acres of land currently held by the Tribe in the City of South Bend, Indiana. The purpose of the proposed action is to help create a tribal land base and to meet the Tribe's economic development needs in Indiana. The Tribe is federally recognized, but does not currently have a federally protected reservation or have land that is held in trust for the Tribe by the United States in the State of Indiana.

This notice also announces a public scoping meeting to identify potential issues, alternatives, and content for inclusion in the EIS.

DATES: The public scoping meeting will be held on September 27, 2012, and will begin at 6 p.m. and last until the last public comment is received. Written comments on the scope of the EIS or implementation of the proposal must arrive by October 9, 2012.

ADDRESSES: The public scoping meeting will be held at the South Bend Century Center, 120 South Saint Joseph Street, South Bend, Indiana 46601. The meeting will be co-hosted by the BIA

and the Tribe. You may mail, hand deliver, or telefax written comments to Diane Rosen, Regional Director, Midwest Regional Office, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, MN 55437; Telefax (612) 713-4401. Please include your name, return address and the caption specifying "Scoping Comments for Proposed Pokagon Band Tribal Village" on the first page of your written comments.

FOR FURTHER INFORMATION CONTACT:

Scott Doig, Regional Environmental Protection Specialist, Midwest Regional Office, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, MN 55437; telephone: (612) 725-4514; email: scott.doig@bia.gov.

SUPPLEMENTARY INFORMATION: The Tribe proposes to take into trust 164.22 acres of land located within the municipal limits of the City of South Bend, Indiana pursuant to Section 6 of the Pokagon Restoration Act (25 U.S.C. 1300j-5). The proposed trust acquisition of the property is for the development of a Tribal Village, which will include 44 housing units, a multi-purpose facility, health service and other tribal government facilities. Proposed development for the property also includes a Class III gaming facility with a hotel, restaurants, meeting space, and a parking garage.

The property is located approximately 5.25 miles from Interstate 80/90 and approximately 2.5 miles southwest of downtown South Bend and consists of 17 contiguous parcels of land that are bounded on the northwest by Indiana State Road 23, on the southwest by U.S. Highway 31/20, and on the east by Locust Street. The site of the gaming facility is proposed to be accessible from Indiana State Road 23 and the Tribal Village is proposed to be accessible from Locust Road.

The purpose of the proposed action is to improve access to essential tribal government services, provide housing, economic development, and employment opportunities for the Pokagon Band tribal community residing in northern Indiana. Areas of environmental concern so far identified that the EIS will address include soils and geology, air quality, water supply, wastewater and storm water, biological resources, traffic and transportation, cultural and historic resources, socioeconomic, public health and safety, noise, and visual resources/aesthetics. Alternatives identified for analysis include the proposed action, a no-action alternative, a non-gaming alternative, and an alternate gaming site

alternative. The range of issues addressed in the EIS may also be revised based on comments received at the public scoping meeting and in response to this notice. The Tribe consists of approximately 4,400 members and is governed by a Tribal Council under a constitution. The United States presently holds approximately 2,883 acres of land in the lower peninsula of the State of Michigan in trust for the Tribe.

Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at all of the mailing addresses shown in the **ADDRESSES** section (except those for the public meetings) during business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request your comment to exclude personal identifying information from public review, BIA cannot guarantee our ability to do so under the guidelines of the Freedom of Information Act.

Authority

This notice is published in accordance with section 1503.1 of the Council of Environmental Quality regulations (40 CFR parts 1500 through 1508) and Sec. 46.305 of the Department of Interior Regulations (43 CFR part 46) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: August 9, 2012.

Donald E. Laverdure,

Acting Assistant Secretary—Indian Affairs.

(FR Doc. 2012-20833 Filed 8-23-12; 8:45 am)

BILLING CODE 4310-W7-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLUTC010000-LS1010000-ER0000-LVRWJ10J4080; UTU-044897]

Notice of Intent To Prepare an Environmental Assessment for the Proposed Cameron to Milford—138 kV Transmission Line Project and Possible Amendment to the Cedar Beaver Garfield Antimony Resource Management Plan for the Cedar City Field Office, Cedar City, UT

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Cedar City Field Office, Cedar City, Utah, intends to prepare an Environmental Assessment (EA) and possible Resource Management Plan (RMP) amendment and by this notice is announcing the beginning of the scoping process to solicit public comments and identify issues.

DATES: This notice initiates the public scoping process for the EA and possible RMP amendment. Comments on issues may be submitted in writing until September 24, 2012. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local media, newspapers and the BLM Web site at: <https://www.ut.blm.gov/enbb/index.php>. In order to be included in the EA, all comments must be received prior to the close of the scoping period or 15 days after the last public meeting, whichever is later.

ADDRESSES: You may submit comments related to the Cameron to Milford—138 kV Transmission Line Project by any of the following methods:

- **Web site:** <https://www.ut.blm.gov/enbb/index.php>.
- **Email:** kkunze@blm.gov.
- **Fax:** 435-865-3058.
- **Mail:** Bureau of Land Management, Cedar City Field Office, 176 East DL Sargent Drive, Cedar City, Utah 84721, ATTN: Karen McAdams-Kunze.

Documents pertinent to this proposal may be examined at the Cedar City Field Office.

FOR FURTHER INFORMATION CONTACT: For further information and/or to have your name added to our mailing list, contact Karen McAdams-Kunze, telephone 435-865-3073; Bureau of Land Management,

Cedar City Field Office, 176 East DL Sargent Drive, Cedar City, Utah; email kkunze@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The applicant PacifiCorp, doing business as Rocky Mountain Power, has requested a right-of-way (ROW) authorization to construct, operate, maintain, and decommission a 138 kV single-circuit overhead transmission line on Federal lands. The project would provide an additional 27 megawatts of reliable electrical capacity by 2014 to resolve current system constraints and respond to anticipated load growth in western Beaver County, Utah. The proposed project would begin at the existing Cameron Substation near Beaver, Utah, and terminate at the existing Milford Substation near the town of Milford, Utah. The project area would span approximately 19 miles, about 12 of which would be on BLM-administered lands, depending on the route selected. Rocky Mountain Power has identified alternative routes between the two substations. These routes would affect Federal, State, and private lands. The requested ROW width on Federal lands is 60 feet except for a portion of one alternative route. The requested width for that portion is 100 feet where it passes over steep terrain. Rocky Mountain Power proposes to use predominately single wood pole structures, approximately 55 to 90 feet in height with average spans between poles of 350 to 500 feet. No new permanent roads would be constructed. Temporary spur routes approximately 12 feet wide and temporary workspace would be needed during construction for material storage, conductor-tensioning sites, and to accommodate vehicles and equipment.

Authorization of this proposal may require amending the Cedar Beaver Garfield Antimony RMP, approved in 1986, by changing approximately 594 acres of an existing 27,494-acre Visual Resource Management (VRM) Class II to Class III or IV. This would occur in the Mineral Mountains along the existing Pass Road, which is a Beaver County, Utah, recorded Class B Road. By this notice, the BLM is complying with requirements in 43 CFR 1610.2(c) to notify the public of potential amendments to land use plans.



U.S. Department of the Interior

Indian Affairs

PUBLIC SCOPING MEETING

Environmental Impact Statement for the
Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino

September 27, 2012

Begins at 6:00 pm

Century Center South Bend

Suite 1

120 S. St. Joseph Street
South Bend, Indiana 46601

Parking at the Century Center is available in our 350 flat surface lot that is adjacent to the building. Additional parking is available throughout the downtown area with flat surface lots, parking garages, and street parking.

Building and meeting room are ADA compliant.

The meeting is primarily a forum to identify potential issues, alternatives, and content for inclusion in the Environmental Impact Statement (EIS). The EIS will be for the development of housing, community, spaces, and government office space on the South Bend parcel as a mixed-use "tribal village" to facilitate the re-establishment of a distinct Pokagon community within Northern Indiana. The tribal village concept will revive aspects of traditional Pokagon social, political, and economic structure and organization in the State of Indiana. In addition to the residential and governmental structures included in the tribal village, the Band will also develop a Gaming Project. The proposed tribal village will meet four main needs of the Pokagon tribe within Indiana;

1. An increased tribal land base and the first tribal land base in Indiana, which will provide suitable and healthy housing for a growing Band citizenship.
2. The need for community-focused spaces.
3. The need for a suitable location for the delivery of tribal government services to the Band's Indiana community.
4. The need for a suitable location for commercial development that includes a gaming facility to provide economic and employment opportunities for the Band's South Bend area community.

The point of contact for comments or questions is Scott Doig, Regional Environmental Protection Specialist, Midwest Regional Office, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, MN 55437; telephone (612) 725-4514. Event information can be viewed at <http://centurycenter.org/events>.



Agency	Division/Region	Contact Name	Address	Phone Number
U.S Environmental Protection Agency	Region 5		77 W. Jackson Blvd, Chicago, IL 60604-3507	312-353-2000
U.S Environmental Protection Agency	Indian Environmental Office	Darrel Harmon-Director	77 West Jackson Blvd (R-19J), Chicago, IL 60604-3590	312-353-9561
U.S Army Corps of Engineers	Great Lakes and Ohio River Division/Detroit District		McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226-2575	313-226-4680
U.S Army Corps of Engineers	South Bend Field Office/Michiana Branch		2422 Viridian Drive Suite 200, South Bend, IN 46628-3561	574-232-1952
U.S Department of Agriculture-Natural Resource Conservation Service	South Bend USDA Field Service Center/St. Joseph County Farm Bureau	Deb Knepp-District Conservationist, Amanda Kautz-Soil Conservationist	2042 E Ireland Rd , South Bend, IN 46614	574-291-7444
U.S Department of Interior-Bureau of Indian Affairs	MS-4606-MIB		1849 C Street, N.W., Washington, D.C. 20240	202-208-7163
U.S Department of Interior-Bureau of Indian Affairs	Eastern Region	Franklin Keel-Regional Director, Robert Impson-Deputy Regional Director-Trust Services	545 Marriott Drive, Suite 700, Nashville, TN 37214	615-564-6700
U.S Department of Interior-Geological Survey	Indiana Water Science Center		5957 Lakeside Blvd. , Indianapolis, IN 46278-1996	
U.S Department of Interior-Fish and Wildlife Service	Midwest Regional Office	Tom Melius-Regional Director, Charles Wooley-Deputy Regional Director	BHW Federal Building, 1 Federal Drive, Ft. Snelling, MN 55111	612-713-5301
U.S Department of Interior-Fish and Wildlife Service	Bloomington Ecological Services Field Office	Scott Pruitt-Field Supervisor	620 South Walker Street , Bloomington, IN 47403-2121	812-334-4261
U.S Department of Interior-Fish and Wildlife Service	Northern Indiana Ecological Services Sub Office	Elizabeth McCloskey-Biologist	P.O. Box 2616 , Chesterton, IN 46304-5716	219-983-9753
U.S Department of Interior-National Park Service	National Headquarters	Jon Jarvis, Director	1849 C Street NW, Washington, DC 20240	202-208-3818
U.S Department of Interior-National Park Service	Midwest Region	Michael Reynolds, Regional Director	601 Riverfront Drive, Omaha, NE 68102-4226	402-661-1736
Federal Emergency Management Agency	Region 5		536 South Clark Street, 6th Floor, Chicago, IL 60605	312- 408-5500
U.S. Department of Transportation-Federal Aviation Administration	Great Lakes Region	Barry Cooper-Regional Administrator , Teresa Brady-Deputy Regional Administrator	O'Hare Lake Office Center, 2300 East Devon Avenue, Des Plaines, IL 60018	847-294-7294
U.S Department of Transportation-Federal Highway Administration	Indiana Division	Robert Tally-Division Administrator, Karen Bobo-Assistant Division Administrator	575 N. Pennsylvania Street, Room 254, Indianapolis, IN 46204	317-226-7476, 317-226-7483
National Indian Gaming Commission	National Headquarters	Tracie Stevens, Chairwoman	1441 L Street NW , Suite 9100, Washington, DC 20005	202-632-7003
National Indian Gaming Commission	St. Paul Regional Office	Linda Durbin - Acting Regional Director	380 Jackson Street, Suite 420, St. Paul, MN 55101	651-290-4004
Indiana Department of Environmental Management	Northern Regional Office	Michael Aylesworth Director, Dave Lawrence Deputy Director	300 N. Michigan Street, Suite 450, South Bend, IN 46601-1295	574-245-4870
Indiana Department of Natural Resources			402 W. Washington St. , Indianapolis, IN 46204	317-232-4200
Indiana Historical Bureau		Pam Bennett-Director	140 North Senate Avenue, Room 130, Indianapolis, Indiana 46204-2296	317-232-2988
Indiana Historical Society	William H. Smith Memorial Library		Eugene and Marilyn Glick Indiana History Center , 450 West Ohio Street , Indianapolis, IN 46202	317-234-0321
Indiana Department of Transportation	La Porte District	Bob Alderman, Deputy Commissioner	P.O. Box 429, Laporte, IN 46352	219-362-6125
Indiana Office of Community and Rural Affairs	Northwest District	Gerry White-Northwest District Community Liaison, David Terrell-Executive Director	One North Capitol, Suite 600, Indianapolis, IN 46204-2288	317-233-3762
Indiana State Police	District 24 Bremen	Lt. James E. Strong	1425 Miami Trail, Bremen, IN 46506	574-546-4900
Indiana State Department of Health		Sean M. Keefer-Chief of Staff, Gregory N. Larkin-State Health Commissioner	2 North Meridian Street, Indianapolis, IN 46204	317-233-1325

Indiana Civil Rights Commission- Indiana Native American Indian Affairs Commission			Indiana Government Center North, 100 North Senate Avenue, Room N103, Indianapolis, IN 46204	317-232-2600
Indiana Department of Administration- State Land Office		Robert Mueller-State Land Office Director	Indiana Government Center South, 402 W. Washington St., Room W-478, Indianapolis, IN 46204	
Indiana Department of Labor-Indiana Occupational Safety and Health Administration	Industrial Compliance Division		402 West Washington Street, Room W195, Indianapolis, Indiana 46204	317-232-2655
Indiana Chamber of Commerce		Kevin Brinegar- President, Terrie Baumgartner-Executive Assistant to the President	115 West Washington St. Suite 8505, Indianapolis, IN 46204	317-264-3110
Indiana Sheriff's Association	St. Joseph County	Michael D. Grzegorek- Sheriff	401 W. Sample St. , South Bend , IN 47635	574-245-6540
Indiana Statewide Association of Rural Electrical Cooperatives		Rick Coons-CEO, Scott R. Bowers-Director of Government Relations	720 N. High School Rd, Indianapolis, Indiana 46214	1-800-340-7362
Indiana Department of Education		Dr. Tony Bennett- Superintendent, Heather Neal-Chief of Staff	151 West Ohio Street, Indianapolis, Indiana 46204	317-232-6610
Indiana Governor's Office		Governor Mitch Daniels	Attn: Scheduling Office, State House Room 206, 200 W. Washington St., Indianapolis, IN 46202	
St. Joseph County Board of Commissioners			227 W. Jefferson Blvd, South Bend, IN 46601	
The Chamber of Commerce of St. Joseph County			The Commerce Center, 401 E. Colfax Avenue, Suite 310, South Bend, Indiana 46617	574-234-0051
Solid Waste Management District of St. Joseph County		Randy Przybysz- Executive Director	929 Lincolnway East , Suite 100, South Bend, IN 46601- 3767	574-235-9971
City of South Bend	Board of Public Works		227 West Jefferson Blvd. Suite 1300 N, South Bend, Indiana 46601	574-235-9251
City of South Bend	Building Department /City of South Bend & St. Joseph County		125 S. Lafayette Blvd, Suite 100, South Bend, Indiana 46601	574-235-9554
City of South Bend	Common Council (City Council)		227 West Jefferson Blvd. Suite 400 S, South Bend, Indiana 46601	574-235-9221
City of South Bend	Environmental Services		3113 Riverside Drive, South Bend, Indiana 46628	574-277-8515
City of South Bend	Office of the Mayor	Pete Buttigieg-Mayor of South Bend	227 West Jefferson Blvd. Suite 1400 N, South Bend, Indiana 46601	574-235-9261
City of South Bend	Parks & Recreation		321 E. Walter St., South Bend, Indiana 46614	574-299-4765
City of South Bend	Public Works		227 West Jefferson Blvd. Suite 1300 N, South Bend, Indiana 46601	574-235-9251
St. Joseph County			227 West Jefferson Blvd., South Bend, IN 46601	
Huron Potawatomi Nation		Homer Mandoka, Tribal Chairman	2221 1-1/2 Mile Road, Fulton, MI 49052	
Saginaw Chippewa Indian Tribe			7070 E. Broadway Road, Mt. Pleasant, MI 48858	
Match-E-Be-Nash-She-Wish Band of Pottawatomie	Gun Lake Tribe	John Shagonaby-CEO Gun Lake Tribal Gaming Authority	P.O. Box 147, Bradley, MI 49311	
Professor Paul Frieseman	Environmental Policy and Culture Program		227 Scott Hall, Northwestern University, 601 University Place, Evanston, IL 60208-1006	
Indiana Gaming Commission		Sara Gonso Tait	101 West Washington Street, East Tower - Suite 1600, Indianapolis, IN 46204	
Richard Berg	Regional Archaeologist		5600 West American Blvd, Suite 500, Bloomington, MN 55437	612-725-4511
Prairie Apartments			2630 Prairie Avenue, South Bend, IN 46614	574-307-9565
Flaherty & Collins Properties			8900 Keystone Crossing, Suite 1200, Indianapolis, IN 46240	574-233-1400
FEMA Region V		William (Bill) Sulnickas- Regional Tribal Liaison	536 South Clark Street, 6th Floor, Chicago, IL 60605	

Section 3.0 Public Information Meeting Materials

Notice of Public Meeting posting for August 27th, 2012 Meeting

Sign-in Sheets from August 27th, 2012 Meeting

Bureau of Indian Affairs Handout

Display Boards



US Department of the Interior

Indian Affairs

PUBLIC SCOPING MEETING

Environmental Impact Statement for the
Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino
September 27, 2012

This public meeting is to inform the public about the Environmental Impact Statement (EIS) process and how it will be used to evaluate the proposed tribal village fee-to-trust acquisition and casino. The meeting is also a forum to identify potential issues, alternatives, and content for inclusion in the EIS. The EIS will be for the development of housing, community spaces, and government office space on the South Bend parcel as a mixed-use "tribal village" to facilitate the re-establishment of a distinct Pokagon community within Northern Indiana. The tribal village concept will revive aspects of traditional Pokagon social, political, and economic structure and organization in the State of Indiana. In addition to the residential and governmental structures included in the tribal village, the Band will also develop a gaming project. The proposed tribal village will meet four main needs of the Pokagon tribe within Indiana;



1. An increased tribal land base and the first tribal land base in Indiana, which will provide suitable and healthy housing for a growing Band citizenship.

2. The need for community-focused spaces.

3. The need for a suitable location for the delivery of tribal government services to the Band's Indiana community.

4. The need for a suitable location for commercial development to provide economic and employment opportunities for the Band's South Bend area community.

The point of contact for comments or questions is Scott Doig, Regional Environmental Protection Specialist, Midwest Regional Office, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, MN 55437; telephone (612) 725-4514.

PUBLIC SCOPING MEETING

Environmental Impact Statement for the

Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino

Facilitator: Bureau of Indian Affairs

September 27, 2012

Place/Room: South Bend Century Center/ Suite 1

Begins at 6:00 pm

Please Sign In

Print Name	Organization (if any)	Mailing Address	Email Address	Phone Number
Clarence Kren Collins	—	2717 S. Locust Rd SB 46614	clarence70@att.net	574- 217-8317
X Dave & Molly Pink		3631 S. Locust So. Bend 46614	DAVID.PINK@ATT.NET	574 288-7092
LARRY TAYLOR	HOOTON	2213 OLIVER S.B. IN 46613	MTAYLORCUSTOM@AC.COM	574 287 9744
Jannie & Bob Anderson		3022 W Calvert So Bend, IN	Sbpeaches1975@att.com	—
✓ Blackie & Joan Motts		21430 W Ireland Rd South Bend, IN 46614	—	(574) 231-9225
Carol Hostetler		21466 West Ireland Rd South Bend IN 46614		574 2913190
Patrick Jupp	CNP	220 South Main St PO Box 30214, M.		731.663.3751
Jeff Ballou & Jessica	Citizen	Dowagiac, MI	pokagonballou@gmail.com	269 585-5160

PUBLIC SCOPING MEETING

Environmental Impact Statement for the

Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino

Facilitator: Bureau of Indian Affairs

September 27, 2012

Place/Room: South Bend Century Center/ Suite 1

Begins at 6:00 pm

Please Sign In

Print Name	Organization (if any)	Mailing Address	Email Address	Phone Number
Kathy Ann Reinhardt	Key Bank	125 S. Chapin S Bend IN 46601	KAnn44@Sbcglobal.net	574 276-6787
KEVIN MARRIOTT	UA 172			
Joshua Edholm	UA 172			
Lee Ashcroft	UA 172			
Jacob Simpson	UA 172			
Raymond Webb	UA 172			
ADAM CLAEYS-SMITH	UA 172			
LARRY SCHEIBELHUT		51925 ELM RD GRANGER IN 46530		574 243 7405

PUBLIC SCOPING MEETING

Environmental Impact Statement for the

Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino

Facilitator: Bureau of Indian Affairs

September 27, 2012

Place/Room: South Bend Century Center/ Suite 1

Begins at 6:00 pm

Please Sign In

Print Name	Organization (if any)	Mailing Address	Email Address	Phone Number
Woody Held		1201 Snyder Ave Ann Arbor 48103		
✓ Michael Mechem	City of South Bend	227 Jefferson South Bend	mmechem@southbend in.gov	
✓ James Wilson		227 Jefferson 6680		
Fred Lamble	Key Bank	202 S. Michigan SB IN		
Jeff	local 172	2629 1/2 S. 16th Niles, MI		
Joel Martinez		2201 South Olive St 46613		
✓ Jeff Cohn	Faegre Baker Norris	202 S. Michigan St. Suite 1400 South Bend IN 46601	jeff.cohn@faegreholder.com	
Madelina Buckley	South Bend Trib		mbuckley@sbtintrib.com	

PUBLIC SCOPING MEETING

Environmental Impact Statement for the

Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino

Facilitator: Bureau of Indian Affairs

September 27, 2012

Place/Room: South Bend Century Center/ Suite 1

Begins at 6:00 pm

Please Sign In

Print Name	Organization (if any)	Mailing Address	Email Address	Phone Number
✓ EREG PINK		3631 Locust Rd South Bend, IN 46614	GREG.PINK@ cbre.com	220-8636
✓ Cecil Brummett		3203 S. Locust Rd. So. Bend IN.		574-298-7451
✓ Rhonda Richards		1620 Clover St S.B., IN 46615	rhondarichards@att.com	574-210- 1847
✓ Nick Molnar		19047 Orchard Heights Dr SB IN 46614	nick@realst8.com	574 344 3758
John Hattle		5103 Commonwealth Ave Western Springs, IL	jhattle@comcast.net	708. 205.5551
Paul Phair		116 E. North Shore South Bend, IN 46617	pphair@holladayproperties.com	574-529-8006
✓ Jon Baney		59770 Locust Rd S.B IN 46614		299-1683
✓ PATRICK TAMM		3815 RIVER CROSSING PKWY SUITE 100 INDIANAPOLIS, IN 46240	PTAMM@GILBANE.CO.COM	317 569 2298

PUBLIC SCOPING MEETING

Environmental Impact Statement for the
Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino

Facilitator: Bureau of Indian Affairs

September 27, 2012

Place/Room: South Bend Century Center/ Suite 1

Begins at 6:00 pm

Please Sign In

Print Name	Organization (if any)	Mailing Address	Email Address	Phone Number
Matthew T. Gator	Local 172	4913 Mayfair place South Bend IN		
Ira Fox	local 172			
Loft Ruhl	local 172			
Brian Teske	UA 172			
Mary Anne Kopschall		3439 S. Locust Rd South Bend, IN 46614	PatsFavoriteKid@yahoo.com	286-0080 286-0786
Joseph M. Cassas Jr.		3010 South Locust Road.		
Thomas Joseph M. Cassas Jr.		South Bend, Ind. 46614-3932		288-3213
Jessie Brookshire		52223 Chatham Ct. Granger, IN	brookshire.4end.edu	
R. WALKER		2405 Woodmont Dr S.B.		574. 520-1849

PUBLIC SCOPING MEETING				
Environmental Impact Statement for the				
Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino				
Facilitator: Bureau of Indian Affairs			September 27, 201	
Place/Room: South Bend Century Center/ Suite 1			Begins at 6:00 pm	
Please Sign In				
Print Name	Organization (if any)	Mailing Address	Email Address	Phone Number
Jason Shackel-Carl	Local 172 Plumber-Pipefitter	2278 So 14th St Niles MI 49120	Jshack56@comcast.net	269 683-0357
Mike McFarland		21953 Pine Hollow Ln S.B. IN 46628	m/mcfarland1@comcast.net	574 271-1433
KR Palmer		1327 Utman Drive South Bend, IN 46614	KR@palmerfuneralhomes.com	574-360-497
Ellen Stanley		59766 Beech Rd Osceola, IN 46561	egstanley@foamway.net	574-633-40
Mike Wallace		53534 Wallace Lane SB 46635	wallace1234@aol.net	

PUBLIC SCOPING MEETING

Environmental Impact Statement for the

Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino

Facilitator: Bureau of Indian Affairs

September 27, 2012

Place/Room: South Bend Century Center/ Suite 1

Begins at 6:00 pm

Please Sign In

Print Name	Organization (if any)	Mailing Address	Email Address	Phone Number
✓ GENE WILKESON		21985 SR#23 SB IN 46614	GWILKESON@ SBCGLOBAL .NET	574- 233-1934
Joel Martha Hunsberger		59527 Clover Rd Mishawaka IN 46544	jomartba@att.net	
Brandon Galvan	LIA 172			
Chris Petzke	UA 172			
Astin Porter	UA 172			
Freda Scheibelhut		Dranges 51935 Elm Rd	—	574-243-7408
✓ John Gruber		22373 Fee Tr S.B.	—	574-286-1411
Dean Maravolo		59077 Magnolia dr SB 46614		574-532-7014



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BOARD OF COMMISSIONERS



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South Bend, IN 46601

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DThomas@co.st-joseph.in.us



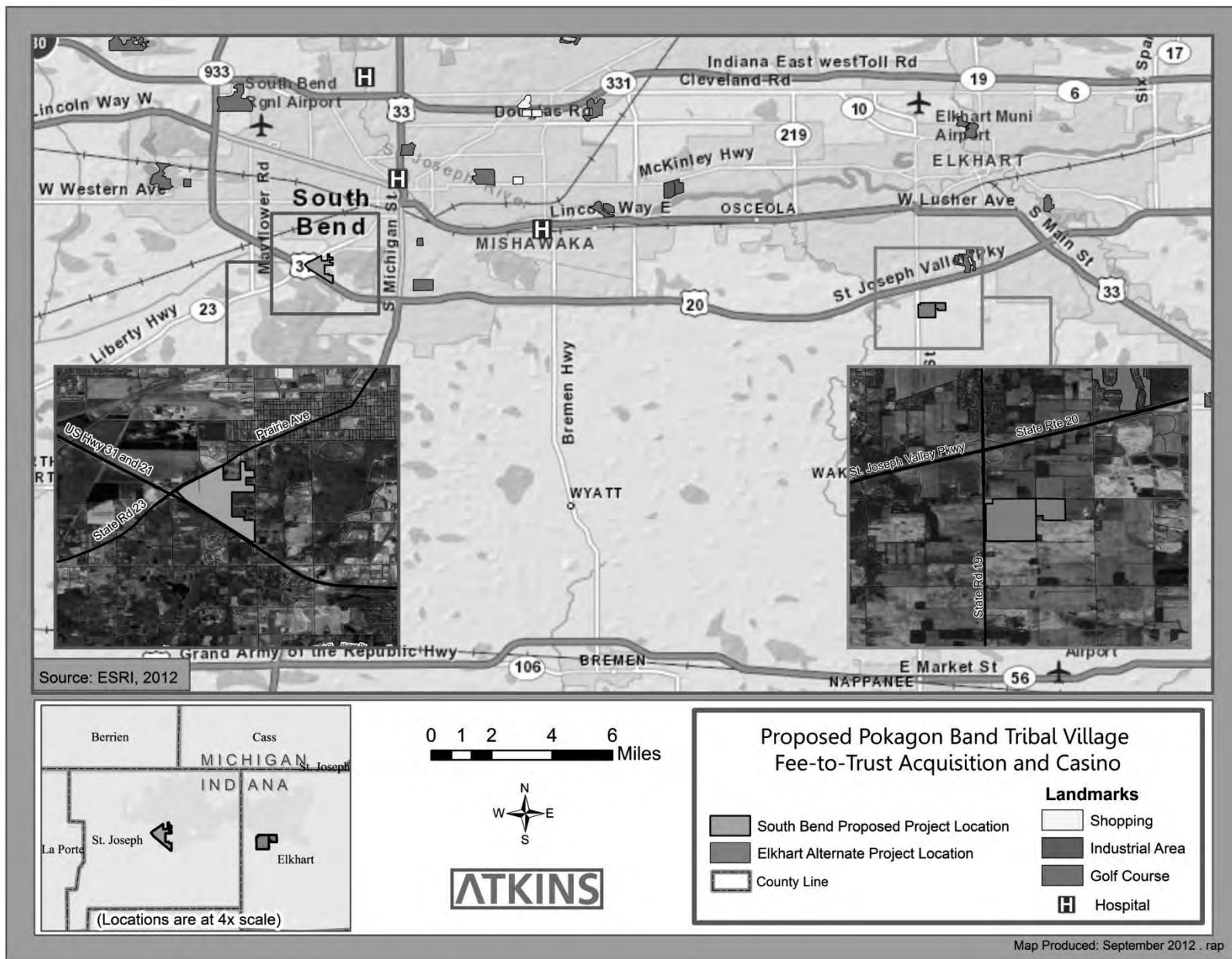
James R. Scheetz

Business Manager
United Association
Plumbers & Pipefitters Local Union NO. 172

4172 Ralph Jones Court
South Bend, IN 46628
Office: (574) 273-0300
Cell: (574) 250-5737
Fax: (574) 273-1300



E-Mail: jim172ua@att.net
Web Site: www.ua172.org





Section 4.0 Public Information Meeting Transcripts

Official Transcript from August 27th, 2012 Meeting

1 BEFORE THE DEPARTMENT OF INTERIOR
2 BUREAU OF INDIAN AFFAIRS
3

4 IN RE: ENVIRONMENTAL IMPACT }
5 STATEMENT for the PROPOSED }
6 POKAGON BAND TRIBAL VILLAGE }
7 FEE-TO-TRUST ACQUISITION }
8 AND CASINO. }
9 _____

10
11 _____
12 PUBLIC SCOPING MEETING

13 The transcript of proceedings as held on Thursday,
14 September 27th, 2012, commencing at or about 6:00 p.m. EST,
15 and as held at the Century Center South Bend, 120 South
16 St. Joseph Street, Suite 1, South Bend, Indiana, 46601, and
17 as reported by JANELLE ROBINSON, Notary Public, Associate
18 Reporter.
19
20
21
22

23 MARILYN M. JONES & ASSOCIATES, LTD.
24 COMPUTER-ASSISTED REPORTERS
25 1416 FRANKLIN STREET
 MICHIGAN CITY, INDIANA 46360
 (219) 879-4077

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

PRESENT:

SCOTT DOIG
Regional Environment Protection Specialist
Department of Interior, Bureau of Indian Affairs

CHRIS MILLER
Project Manager

ALSO PRESENT:

Various staff members of Atkins North America, Inc.

Various members of the general public

---oOo---

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

1 Thursday, September 27, 2012 --

2 (At or about 6:00 p.m. EST, staff and members
3 of the public present in the meeting room.)

4 MR. DOIG: Okay. We'll go ahead and start,
5 it's six o'clock. Welcome everybody, thanks for
6 taking time on a Thursday night to be a part of
7 this process.

8 My name is Scott Doig; I'm an environmental
9 protection specialist for the Department of
10 Interior, Bureau of Indian Affairs. I'm located
11 out of Minneapolis, Minnesota, and I'm the project
12 team lead for this -- this process.

13 This process is, essentially, we have an
14 application in from Poka- -- Pokagon Band of
15 Potawatomi for a land-in-trust process, that
16 includes a gaming facility. My part comes in on
17 the environmental part of it. Part of the
18 activity requires an Environmental Impact
19 Statement, and that -- that is brought about by a
20 law called NEPA, National Environmental Policy
21 Act. And one way to comply with NEPA is through
22 an Environment Impact Statement. So, the
23 Environment Impact Statement takes a look at
24 things such as Clean Air Act, Clean Water Act,
25 roads, a bunch of different environmental

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

1 regulatory laws that fall kind of under the
2 umbrella of NEPA. And, in this case,
3 Environmental Impact Statement.

4 This Environmental Impact Statement is a
5 fairly long process, it can take anywhere from 18
6 months to two years just for the environmental
7 portion of it. And I'll give just a little bit of
8 a background on what the process for the
9 Environmental Impact Statement is. And just so
10 it's very clear, that this is the -- the absolute
11 very beginning of this process. It started out
12 with a -- what we call a Notice of Intent in the
13 Federal Register to develop this Environmental
14 Impact Statement.

15 And that Notice of Intent has a -- what
16 they -- for a scoping period, and that's what this
17 is. And the scoping period, essentially, is me,
18 for the Bureau of Indian Affairs, are looking for
19 information that we're -- we're not able to -- to
20 gather. And -- and what we want to know is, what
21 parts of the environment, the human environment,
22 are the public and interested parties -- what part
23 do they want in that Environmental Impact
24 Statement as we develop it.

25 Like I said, this is very early in the

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

1 process, so what we do is we essentially gather
2 these comments, and we use these comments to
3 develop a scoping document. And the scoping
4 document is exactly that, it gives us what the
5 scope of that Environmental Impact Statement is.
6 So, we take your comments and some of the other,
7 kind of, standard things that we look at, and then
8 we develop a draft Environmental Impact Statement.

9 Once the draft Environmental Impact Statement
10 is completed, there will be another public comment
11 period where we'll put it online, you can receive
12 CD copies of it, you can review it, and then you
13 can also comment on what we put into that
14 document. And then once the draft Environmental
15 Impact Statement is completed, and you've
16 responded and included all of the comments into
17 that EIS, we have what we call a final
18 Environmental Impact Statement.

19 Once the final EIS is finished, the BIA, my
20 office, we will develop what's called a draft
21 record of decision, that goes up to our central
22 office in D.C., and the Assistant Secretary for
23 Indian Affairs is the one that actually signs off
24 on the document.

25 So, that's kind of the long process, and —

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

1 and, again, we're a long way from then. This is
2 just the first part of it. So, we're -- we're
3 very interested in -- in what -- what kinds of
4 items you want to see in the Environmental Impact
5 Statement.

6 Again, we're -- we're here to collect
7 information regarding the scope and content of the
8 EIS. This isn't necessarily a referendum on the
9 project. We do invite your comments, but it's not
10 necessarily a yes or no. We want to find out what
11 kind of information we want in that EIS.

12 Unfortunately, tonight, because of the nature
13 of this process, what we will be doing is, we
14 have -- the microphone is up there, so if you'd
15 like to comment, you're welcome to come up. We
16 have -- we do have a time limit of three minutes
17 per comment. If -- However, that doesn't mean
18 that -- if you have comments that take longer than
19 that, you're certainly welcome to write them and
20 send them to me at the Bureau of Indian Affairs.
21 We can accept written comments until October 9th
22 of this year. And I just want to -- I want to
23 make sure everybody understands that there's no
24 more strength given to verbal comments or written
25 comments. They're all essentially written. We

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

1 have a court reporter that is taking down all of
2 the comments, and then they will become part of
3 that administrative record.

4 And on that note, when you do stand up and
5 speak, I'd ask that you speak loud enough so that
6 she can hear you; and, also, if you would state
7 and spell your name so we get that in the
8 administrative record correctly. Again, you're
9 invited to write those written comments until
10 October 9th.

11 Chris Miller is the Project Manager for the
12 consultant that is developing the Environmental
13 Impact Statement, so I'm going to turn it over to
14 him and he'll give kind of a brief summary of the
15 project.

16 MR. MILLER: Thank you, Scott. And I'd like
17 to reiterate what Scott said and welcome all of
18 you here tonight. I just want to let everybody
19 know that your comments are very important to us,
20 and want to re-emphasize that this is very early
21 in the process. There really is no -- no project
22 that exists, actually, as of right now. These
23 comments are going to be used to help us not only
24 formulate how we're going to address the issues in
25 the Environmental Impact Statement, but will also

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

1 help us as we craft the alternatives that are
2 going to be evaluated through this process.

3 So, at this point right now, some of you have
4 probably already read and seen the notice of
5 intent that was published in the Federal Register,
6 which is one of the first steps to getting this
7 project -- process moving. I just want to make
8 sure that some of the key points are spoken here
9 tonight so that, again, you have a good, clear
10 understanding of what the project is at this
11 point, so that you can craft your comments
12 accordingly.

13 "This notice of intent advises the public
14 that the Bureau of Indian Affairs, in cooperation
15 with the Pokagon Band of Potawatomi Indians,
16 intends to gather the information necessary for
17 preparing an Environmental Impact Statement for
18 the conveyance into trust of 164.22 acres of the
19 land currently held by the Tribe in the city of
20 South Bend, Indiana. The Tribe is federally
21 recognized, but does not currently have a
22 federally protected reservation or have land that
23 is held in trust for the Tribe by the United
24 States in the state of Indiana.

25 "The Tribe, again, proposes to take into

TRANSCRIPT OF PROCEEDINGS - SEPTEMBER 27, 2012

1 trust 164.22 acres of land located within the
2 municipal city limits of the city of South Bend.
3 The proposed trust acquisition of the property is
4 for the development of a Tribal Village, which
5 will include 44 housing units, a multi-purpose
6 facility, health services and other tribal
7 government facilities. Proposed development for
8 the property also includes a Class III gaming
9 facility with a hotel, restaurants, meeting space,
10 and parking space.

11 "The property is located approximately 5.25
12 miles" -- And I'll interrupt my comments right now
13 to refer you to the figures that you've got here.
14 If you want to look at these a little bit closer,
15 by all means, feel free to walk up here and look
16 at these boards. If you need some aspects of
17 what's on these boards explained to you, just let
18 us know, we'll get somebody that can work with you
19 on that.

20 "The property", again, "is located
21 approximately 5.25 miles from Interstate 80/90,
22 and approximately 2.5 miles southwest of downtown
23 South Bend, and consists of 17 contiguous parcels
24 of land that are bounded on the northwest by
25 Indiana State Route 23, on the southwest by U.S.

1 Highway 31, and on the east by Locust Street. The
2 site of the gaming facility is proposed to be
3 accessible from Indiana State Road 23 and the
4 Tribal Village is proposed to be accessible from
5 Locust Road.

6 "The purpose of the proposed action is to
7 improve access to essential tribal government
8 services, provide housing, economic development,
9 and employment opportunities for the Pokagon Band
10 tribal community residing in northern Indiana.

11 "Areas of environmental concern so far
12 identified that the EIS will address include", but
13 is not limited to, there will be more sections
14 that will be addressed in the document, "soils,
15 geology, air quality, water supply, wastewater and
16 storm water, biological resources, traffic and
17 transportation impacts, cultural and historic
18 resources, socioeconomics, public health and
19 safety, noise, and visual resources and
20 aesthetics. Alternatives identified for analysis,
21 at this point, include the proposed action, a
22 no-action alternative, a non-gaming alternative,
23 and an alternative gaming location. The range of
24 issues addressed in the EIS may also be revised
25 based on the comments received at the public

1 scoping meeting." Which is this meeting being
2 held here tonight. Scott.

3 MR. DOIG: Okay. And sort of as we go along,
4 if anybody decides they want to make a comment,
5 please feel free. Amy will be -- As you start
6 your comments, she has a green, yellow and a red
7 card, we have no hook, but if you can just kind of
8 keep an eye on the -- the time that would be
9 appreciated.

10 So, I guess we'll go ahead and get started.
11 The first commenter will be Dave Thomas.

12 MR. THOMAS: Thank you. There we go.
13 Testing. There we go. Testing. And for the
14 recorder, as you said, my name is Dave Thomas.
15 D-a-v-e. T-h-o-m-a-s.

16 I am St. Joseph County Commissioner, Dave
17 Thomas, and I want to formally welcome you to
18 St. Joseph County and thank you for coming.
19 Mr. Doig, I formally welcome you today. If you
20 arrived back in 1675, with Father James Marquette,
21 the ancestors of the Pokagon Band of Potawatomi
22 Indians would have greeted you. If you arrived in
23 1679 and in 1981 (sic) with Robert de La Salle,
24 the ancestors of Pokagon Band of Potawatomi
25 Indians would have welcomed you. Signed the

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1 council oath Peace Treaty and taught you the
2 canoeing portage from the St. Joseph River to the
3 Kankakee River, which will take a traveler all the
4 way to New Orleans.

5 The Pokagon peoples would have welcome d you
6 because this is their home and this is their
7 nature. This is St. Joseph County and the
8 St. Joseph Valley River basin. And it is
9 historical of the Pokagon Band of Potawatomi
10 Indians. They founded this community and are part
11 of the diverse mixture of cultures which have
12 built it, and desire to continue to develop it,
13 all the while preserving their people, their
14 culture, and respecting Mother Earth.

15 The proposal of the local settlement, which
16 will include housing stock, educational
17 opportunities, health and wellness clinics, and a
18 gaming casino, will continue the rich history, the
19 Pokagons sharing with all for the benefit of all .
20 The economic impact will be a major and primitive
21 boost to our local economy, and a magnet for more
22 future development. The hundreds of construction
23 jobs, the thousands of future operational
24 positions, will employ many workers and feed many
25 families. The payroll taxes, the gaming revenue,

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1 and the many other economic benefits are also most
2 welcome.

3 The Pokagon Band is the only federally
4 recognized tribe in the state of Indiana. We
5 welcome the expansions of their many local
6 partnerships, which include their generous support
7 to local charities, this proposal, and their
8 dedication of a 1400-acre wetland, also here in
9 St. Joseph County.

10 The Pokagon people have proven their strong
11 commitment to the Michiana community and to Mother
12 Earth. The Pokagon people are committed to
13 excellence, and they are good stewards and trusted
14 friends. I support their plans and their
15 operations, which will open the door and all
16 access, which will lead to many great and positive
17 opportunities and developments in the future. And
18 I encourage you to aid us in this project, and
19 that it moves and proceeds as swiftly as possible.

20 I hope that you enjoy your visit to
21 St. Joseph County and have the opportunity to
22 learn about our progress, proud history, and our
23 diverse culture. And, also, please recognize our
24 unique setting in the world stage. We are
25 centrally located between Chicago, Detroit, and

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1 Indianapolis. Easily accessible by plane, train
2 or automobile, served by the Indiana toll road
3 running east and west, and the new U.S. 31 running
4 north and south. We are the home to many
5 national/international corporations and
6 destination sites.

7 In addition to the priceless Studebaker
8 automotive collection, we are the home of the
9 world-famous University of Notre Dame, founded
10 strongly in part by the wisdom and generosity of
11 Chief Leopold Pokagon, for whom the Pokagon Band
12 is named,

13 In future visits, please join us to cheer at
14 a Notre Dame football game, or visit one of many
15 of -- one of our many other local special
16 attractions. But most importantly on future
17 visits, please come to see and witness the great
18 progress in the Pokagon Band's development, which
19 we are pleased to move forward today. Let us
20 ignite the spark for the Pokagons, who are the
21 keepers of the flame. Thank you.

22 MR. DOIG: Thank you, Mr. Chairman.

23 Rhonda Richards. Rhonda? Oh, there she is.

24 MS. RICHARDS: Hello. Thank you for allowing
25 me to speak. My name is Rhonda Richards.

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1 R-h-o-n-d-a. R-i-c-h-a-r-d-s.

2 I want to welcome the Pokagon Band, I'm --
3 I'm glad to see that they are establishing
4 themselves back on the land that was theirs
5 originally. That is a wonderful thing.

6 I do have a major concern with the casino
7 coming into our area. I have done some research
8 and -- over the last several weeks, and have found
9 that even casino gambling Web sites have said that
10 South Bend was a desirable place for a casino, but
11 that the neighbor -- the problem with being here,
12 would be the neighborhood not, and the residences
13 not accepting the casino. We have a casino in
14 New Buffalo, we have a casino in Hartford, we have
15 a casino in Michigan City, and we have casinos on
16 the south side of Chicago and all the way over to
17 here. I do not see the purpose in bringing that
18 kind of environment into our neighborhoods.
19 According to the FBI crime index statistics, crime
20 has gone up in Hartford, crime has gone up in
21 New Buffalo. We have worked for 15 years to get
22 to the point of adult businesses closed down and
23 regulated more highly in St. Joe County. And
24 that's one of the first things that came up in
25 New Buffalo, that they, thankfully, did not allow

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1 to pass.

2 My concerns are the fact that gambling
3 destroys families. It raises the records of
4 divorce, it raises the records of suicide, it
5 raises the records of bankruptcy. It shows that
6 there's a negative effect in -- For every gambler
7 with a problem, even a slight problem, it
8 negatively affects seven to 10 people around them.
9 This facility is right across the street from my
10 church -- my -- the church that my family has gone
11 to for years. It's right down the street from
12 where I go to church currently. It's right around
13 the corner from where I do business as a office
14 manager of a retail business on Western Avenue.

15 I welcome the tribe to come there; I welcome
16 the tribe to bring the health and resources that
17 they need to bring for their coming. But the
18 gambling aspect and the rising crime rates, and
19 those concerns are coming into a section of our
20 town that we're trying to get those rates down.
21 And our rates in South Bend have been increasing
22 and increasing. And we have murder and we have
23 rape and we have prostitution and we have drugs
24 and we have gang activity and we have those
25 things. Bringing in the influence, the negative

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1 influences that gambling can have, into that
2 community, I believe is just asking for problems.

3 I welcome you, I hope you come. I currently
4 have done all kinds of things to cooperate with
5 the Pokagons and to help fund their open public
6 events and things to do. But this is not
7 something that is good for our community, and I
8 wish that that would be taken off of the agenda.

9 MR. DOIG: Thank you.

10 Mike McFarland.

11 MR. MCFARLAND: Mike McFarland. M-i-k-e.
12 M-c-F-a-r-l-a-n-d. South Bend, Indiana.

13 I come tonight not to be against your
14 proposal, except for the part that says, "and
15 casino", and then it's says, "and casino", and
16 then it says, "the band will also develop a Gaming
17 Project." For an alternative site, Dowagiac is
18 25-miles away, that casino hasn't opened yet;
19 Michigan City, 35 miles away.

20 I'm a retired dealer from Michigan City. I
21 saw what gambling does to people. I would
22 describe my job as, take their money, give them
23 chips, and take their chips. Eventually it does
24 come back. Yeah, we always like to have a winner,
25 especially the tipppers, how we made our money.

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1 New Buffalo, 35 miles away. Hartford, I'm not
2 sure how far that is away. South Bend, a college
3 town, young adults. Class III gaming hotel.
4 Alternative gaming location.

5 I'm sorry, Dave, I don't agree with you on
6 this one. I've seen what it does to families; I
7 know what it does to families. I've seen what it
8 did to a family west of South Bend, about the
9 Prairie -- What do they call it? Oh, it's a new
10 name now; right? It's the Ameritech something?
11 Yeah, that family. I saw what it did to that
12 family.

13 I will have more to comment, and I will send
14 some written comments. But with three and four
15 casinos around this area, we have plenty of
16 gaming, and I don't think we need another one.
17 Thank you.

18 MR. DOIG: Thank you.

19 Gene Wilkeson.

20 MR. WILKESON: My name is Gene, G-e-n-e,
21 Wilkeson, W-i-l-k-e-s-o-n.

22 My only concern is the -- on -- on State
23 Highway 23, where you have the marking for the
24 entrance, that's on top of a hill. Are they going
25 to lower that hill? Because at that point, big

1 trucks come out an energy plant drive, big trucks
2 come out and they try to stay very slow. And
3 people come from South Bend, are going over the
4 hill, also, and people coming from the west, but
5 the bypass is also going over that hill. And to
6 me, if you do anything, if you do stay, do this,
7 do something about that dangerous traffic on 23,
8 that hill. It is a -- It's going to be a death
9 trap. North 50 feet, whatever you do, but
10 remember, that's a dangerous spot; okay?

11 Thank you very much.

12 MR. DOIG: Thank you, Gene.

13 Larry Scheibelhut.

14 MR. SCHEIBELHUT: My name is Larry
15 Scheibelhut. S-c-h-e-i-b-e-l-h-u-t.

16 As far as the housing and the health center,
17 something I think I heard this gentleman say, I'm
18 all in favor for that. I think that would be
19 outstanding. I made my living here in South Bend
20 in construction, and that would bring a lot of --
21 a lot of jobs to my fellow construction buddies
22 and I think that's outstanding. I can remember,
23 my dad was in construction, and grew up in the
24 '50s and '60s, we were prospering well on the
25 whole, life was good. Dad would take me on

1 Saturday mornings, I remember those special days
2 when I had a little coin in my pocket and he'd
3 take me to the First National Bank, I had my own
4 savings book, and proudly dad said, "You watch
5 that thing grow." And I watched my savings grow.

6 And things got -- As I grew older, things get
7 tougher for the local communities, the state, then
8 they say, "Well, let's try lottery tickets, that's
9 gonna pull our schools -- that's gonna pull our
10 schools together and -- and -- or, pull money in
11 for them and pull them out of the red." Now look
12 at what our schools are like, they're all in
13 trouble. We all got our lottery tickets, which we
14 can buy anyplace you want. I still save my money.

15 And, but on the other side of the fence, I
16 got friends that come up and said, "Well, I want
17 to spend, I hold that 50 dollars a week, or maybe
18 a hundred dollars, and that's all I allow myself
19 to lose." I'm saving my money, they're just
20 holding just a hundred dollar reserve. And I
21 can't tell you how many of my friends have lost
22 their -- their family, their marriage, and their
23 homes, they're gone.

24 Two days ago, I had to give -- I didn't have
25 to, called me up, a supporter, I gave some money

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1 for gasoline so this person who I took up to
2 the -- to the Four Winds, I helped them, they
3 asked me to come up there, support them so they
4 could -- so they could sign themselves off.
5 "I'll never do it again." Lost everything. So,
6 now, I gave them some money for gas so they could
7 get to their job. Lost their home. And that's
8 not just one in my life. So, then, they try to
9 get better, they get a job, they -- this person is
10 real excited because they get some help with
11 housing allowance and food stamps. Where is all
12 of that money coming from, from all of our
13 pocketbooks, all of us now. That's all I've got
14 to say on that.

15 MR. DOIG: Blackie and Joan Boltz (phonetic),
16 Boltz (phonetic). Oh, nope, they didn't check the
17 box, I'm sorry.

18 Dean Maravolo. Dean? No.

19 Jim Scheetz.

20 MR. SCHEETZ: Thank you.

21 MR. MILLER: And, Jim, before we get -- I
22 just want to make sure, can you hear everybody
23 okay?

24 THE REPORTER: Yes.

25 MR. MILLER: And, also, just a housekeeping

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1 item I forgot to mention earlier. If -- In case
2 we need to, the emergency exit, you go out the
3 main doors here and take a right, and take another
4 right, and that's where the emergency exit is.
5 Everybody, if they'll line up single file in an
6 orderly manner behind me, you'll be able to make a
7 safe exit.

8 MR. SCHEETZ: Everybody knows where to go;
9 right? My name is Jim Scheetz. S-c-h-e-e-t-z.

10 And, a residence of St. Joe County, south of
11 the parcel here. Also President of the St. Joe
12 Valley Building and Construction Trades. So, I'm
13 really kind of excited about what I see as job
14 opportunities. I think jobs are important in this
15 community, and there's a lot of jobs, certainly,
16 in the construction of such a plan, but good jobs
17 that will come in after it.

18 But I just want to ensure our local community
19 that when the building trades people are out
20 there, they're highly skilled, and they're from
21 this community, and some of them could be your
22 neighbors. But, when this community is working,
23 it makes a better community in all of the areas
24 that some of the previous speakers spoke about.
25 It helps.

1 And when this moves forward, and if it moves
2 forward, if it's done like the other projects,
3 which I'm sure it will be, they're very good,
4 high-quality standard projects, and they look
5 nice. And I think we can, hopefully, come
6 together as a community and address the concerns
7 so that everybody can be winners. Thank you.

8 MR. DOIG: Thank you, sir.

9 Is there anybody else who wanted to comment
10 and didn't get a chance to fill out a card? Yeah,
11 do you have any blank cards that we can get?

12 Okay. You can come on up and just clearly
13 state your name and make your comments, please.

14 MR. PALMER: Thank you. Hello, my name is
15 R.R. Palmer. I've been here in the community for
16 a long time, my brother and I own the Palmer
17 Funeral Homes, and they're located in various
18 areas here in South Bend.

19 But, I just want to state my opinion because
20 I thought it was worthwhile coming to the meeting
21 and voicing it. And, in my opinion, the housing
22 and the economic advantages for South -- for South
23 Bend, for the -- for the Tribe would be welcomed,
24 and all concerned could use the additional work
25 and revenue as far as building that. But -- but I

1 cannot agree with bringing a casino to our -- our
2 county. The only people that win in a gaming
3 facility is the casino, and it would be
4 detrimental, just as Rhonda had stated, that
5 family values would definitely be in jeopardy and
6 could be destroyed, and I just don't think it
7 would be a good thing for the community. Thank
8 you.

9 MR. PINK: My name is David Pink. P-i-n-k,
10 just like the color.

11 And this property backs right up to my -- to
12 my property. Not to reiterate things that people
13 say, I tend to agree with them. There are
14 concerns I have.

15 There is a DNR survey of this property, which
16 shows it is very marginal to support a one-story
17 building. And we're sitting here talking about
18 all these story things and all this fancy stuff.
19 My question is, you know, just how is this going
20 to work out?

21 Also, there's, the last time they did any
22 work here -- And it is Locust Road, not Locust
23 Street. Locust Street is another place in town.
24 When they did the bridge there's a whole mound of
25 contaminated dirt along the highway, that we were

1 told two years ago would be taken care of. It's
2 still there, it borders on the swamp, which means
3 whatever is in it has had two years to spread to
4 the neighboring area. Will be really -- I'll be
5 really interested to hear how we can control that.

6 And, also, the last person that wanted to do
7 things there wanted to just build a little dam and
8 let the clear water run over it, and get rid of
9 the ground water off their property. We don't
10 want that. We want that water to stay where it
11 came down.

12 And the last thing -- Or, next to last thing.
13 The access road, this is the third time we've had
14 people want to build something with lots of
15 traffic and put an access road onto Locust Road.
16 And every time it's been shown that the road will
17 not support that kind of traffic. I don't know
18 what's changed in a year and a half, but all of a
19 sudden we can put another access road in. It
20 makes absolutely no sense.

21 And the last thing is, the last improvement
22 we got in our neighborhood was the apartment
23 complex. And if you look on Sunday, when the
24 police list all of the break-ins and the robberies
25 and everything else, there's a little area that

1 this used to be part of, bounded by the railroad
2 tracks and Main Street, and for years there was
3 never anything in there, which is a tribute to the
4 Rum Village people who have really cleaned up the
5 area. But if you look at it the last year and a
6 half, you'll see a totally different story.

7 And so, I have to agree with several people ,
8 that I can't see it helping the crime area, and
9 the area a bit. It will increase, no matter what
10 you try to do. Thank you.

11 MR. DOIG: Thank you.

12 Anybody else like to make a comment?

13 MR. KEPSCHULL: My name is Todd Kepschull,
14 K-e-p-s-c-h-u-l-l. I live in South Bend.

15 My main concern is the property values for
16 the homes that are located bordering that
17 triangle, mainly on Locust Road, which is where I
18 happen to live. Both the east and west side are
19 going to be impacted, mainly on the west side.
20 Most of the people's properties back up to that in
21 some fashion or another. I don't see how that's
22 going to help the value of their homes at all.
23 With the economy already taking a down turn a
24 couple years ago, that's hurt everybody, and this
25 is not going to help anybody at all. So, I'd like

1 that to be weighed in as a factor when you guys
2 decide what you're going to do. That's it.

3 MR. DOIG: Sir. Sir. Thank you.

4 Anybody else? No. Okay. As I explained
5 earlier, this is a -- kind of an infor- --
6 information gathering part of this process, so,
7 unfortunately, this evening I can't respond to
8 those comments. But I do encourage you, if you
9 have any further comments, to please write them
10 down, send them off. On the comment card it has
11 my name and address, and mail them in, you have
12 until October 9th.

13 Again, this won't be the only chance you'll
14 have to comment on this process. During the draft
15 Environmental Impact Statement, and then again at
16 the final Impact Statement we do accept comments.

17 MEMBER OF THE PUBLIC: The areas that are not
18 delineated in color, are they to remain the same
19 or what's the . . . ?

20 MR. DOIG: They're not part of the
21 application.

22 MEMBER OF THE PUBLIC: Can I ask a question?

23 MR. DOIG: If it's about the process, I can
24 certainly answer it; but if it's about the project
25 itself, I can only accept comments at this time.

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1 Yes, sir.

2 MEMBER OF THE PUBLIC: When the South Bend
3 Tribune had it in the paper, they -- they said
4 that the casino was kind of like an afterthought.
5 When you come here, it sounds like it's -- when
6 you have the commissioner that comes in and says
7 what he did, it's a forefront. Yes, it will be
8 after the housing is put in --

9 MR. DOIG: Sir, if you'd like to make
10 additional comments, you're more than welcome to
11 write them down, and we will respond to each and
12 every comment made.

13 Yes, sir.

14 MR. THOMAS: Well, since I was mentioned,
15 I'll just say that I live just a few minutes from
16 there, Locust Road, and it's called Olive Street,
17 I live one block off of Olive. And this is,
18 again, very important to -- to our community, that
19 the revenue, the taxes, are going to help fund our
20 police departments, our fire departments. People
21 want jobs --

22 MR. DOIG: Sir. Sir, I'm sorry, we --

23 MR. THOMAS: Okay.

24 MR. DOIG: -- we just can't get into a debate
25 at this time; okay?

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1 MR. THOMAS: Thank you. But I was called
2 into question, I'm sorry.

3 MR. DOIG: Understandable.

4 Yes, sir.

5 MR. GERSCHOFFER: I changed my mind.

6 MR. DOIG: Would you like to make a comment?

7 MR. GERSCHOFFER: Yeah.

8 MR. DOIG: Thank you. If you could, go up to
9 the microphone, sir.

10 MR. GERSCHOFFER: My name is Sal Gerschoffer.
11 I live at 2101 Prairie Avenue. My last name is
12 spelled G-e-r-s-c-h-o-f-f-e-r. Did you get that?

13 You can -- You don't have to answer this
14 question if you don't want to, or if you can't.
15 If and when the Indians, the Pokagon Indians, want
16 to build a casino there, do you have the final
17 say-so? That's my question.

18 MR. DOIG: I can answer that. Personally,
19 no, I do not.

20 MR. GERSCHOFFER: You do not have the final
21 say-so?

22 MR. DOIG: No, sir. That's what the -- As
23 part of the process, we develop a record of
24 decision, we send it up to our central office, to
25 the Assistant Secretary of Indian Affairs, and

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1 that's the final decision-maker.

2 MR. GERSCHOFFER: And where are they located?

3 MR. DOIG: Washington D.C.

4 MR. GERSCHOFFER: Okay.

5 MR. DOIG: And I want to clarify that it's
6 not that I -- when I say I can't respond to
7 comments, we will respond to each and every
8 comment you make, so I encourage you to submit
9 your comments. That's part of this process, it is
10 not a foregone conclusion. This is a very
11 pre-decisional portion of this, and that's why we
12 conduct these meetings.

13 Okay. Are there any other -- anybody else
14 want to make a comment? Chris, did you want to
15 add anything else?

16 MR. MILLER: Not at this time.

17 MR. DOIG: Okay. So, as this process
18 continues, we have the sign-up sheet up front, if
19 you would like to be notified whenever these
20 milestones, or the draft environmental document
21 comes out, we're going to have you put a checkmark
22 next to your name on the sign-up sheet, and then
23 we'll put you on the interested parties list. So,
24 whenever we make distributions, you'll be --
25 you'll get notification of those.

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1 Okay. Thank you very much, have a good
2 night.

3 (Public Scoping Meeting concluded at or about
4 6:30 p.m. EST.)

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1 STATE OF INDIANA)
2)SS:
3 COUNTY OF LAPORTE)

4 COURT REPORTER'S CERTIFICATE

5 I, Janelle Robinson, do hereby certify that I
6 reported by the means of CAT shorthand the proceedings held
7 on Thursday, September 27, 2012, commencing at or about the
8 hour of 6:00 p.m. EST;

9 That I have transcribed my shorthand notes into
10 the typewritten form, and that the foregoing and attached
11 pages or parts of pages, numbered one through 31, comprise a
12 complete, true and accurate transcript of said proceedings;

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 and official seal this 1st day of October, 2012.

15
16 JANELLE ROBINSON
17 ASSOCIATE REPORTER

18 ---o---

19
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25
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Section 5.0 Comment Forms Received

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

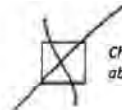
Public Meeting-27 September 2012



Name: DAVE THOMAS City of Residence: ST. JOSEPH

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

ST. JOSEPH COUNTY COMMISSIONER

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Rhonda Richards City of Residence: South Bend

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: GENE A WILKESON City of Residence: South Bend

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

About the Hill on 13 about traffic
on 13 and

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Mike McFarland City of Residence: S. B.

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

The Casino

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino



Public Meeting-27 September 2012

Name: Blackie & Joan Motts City of Residence: _____

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437

☐

Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

To close place!
Need to be out south

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino



Public Meeting-27 September 2012

Name: LARRY SCHEIBELHUT City of Residence: GRANGER

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437

☒

Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Todd Kopschell City of Residence: South Bend,

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Are any additional homes going to be purchased
that are on the west side of Locust. North of the bypass
South of Prairie

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Jim Scheetz City of Residence: St. Joseph County

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Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Work opportunities for local trades
people

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Dean Maravolo City of Residence: South Bend

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

- 1) I live at 59077 Maguolia drive. It is my understanding that the Pokagon Band has purchased the area in the southwest quadrant of the B-1993 (20) & SR 23. Are their plans for this land?
- 2) This is the headwaters for the Kankakee river & the Lowland Filtration system. What safeguards are their for this? If the water is polluted upstream...

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Dean Maravolo City of Residence: South Bend

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

- 3) Maguolia Drive is a COUNTY Road what safeguards are going to be put into place to keep this from becoming a Highway?
- 4) Area is habitat for the Painted Box Turtle what safeguards?

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Todd Kepschall City of Residence: South

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Property values of homes on Locust Rd 624-286-0786
I believe will drop dramatically. My house
is at 3439 S. Locust Rd SE Tr. 46614 It has been
for sale for 6 months. I have contacted the Realtor
multiple times in hopes of arranging a
sale. They will not return my call. It would seem
to only be fair and purchase all properties that border
the developed triangle. Thank You!

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: DAVID PARK City of Residence: South Bend

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Ground Contamination
Marginal Ground Capacity

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: GREG PINK City of Residence: SOUTH BEND

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437

GREG.PINK@cbre.com



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Would like to be updated as the process
proceeds.

Also would like to understand the comment
periods & approval levels

Also would like copies of the diagrams as they
change through comments from the EIS

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: Connie S. Anderson City of Residence: St Joe

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437



Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Treally approve this project - All aspects including
the casino - Gambling is a personal choice and
if you are addicted it is your illness.
We need the jobs.

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino



Public Meeting-27 September 2012

Name: Dawn Holland City of Residence: South Bend

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437

☐

Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

I'm a resident close to the proposed project location. I'm extremely opposed to them building a casino in my neighborhood! My church is just up the street.

I have no problem with the housing portion of the project. I think that is awesome.
NO CASINO!!

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino



Public Meeting-27 September 2012

Name: Richard Walker City of Residence: South Bend IN.

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437

☐

Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

GET IT HERE - QUIT putting Money elsewhere.
Produce JOBS.

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: SALGERSCHOFFER City of Residence: S.O. BEND

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437

☐

Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

WHAT WILL THE WATER (DRINKING)
BE LIKE IN THIS AREA

Comment Card

Environmental Impact Statement for the Proposed Pokagon Band
Tribal Fee-to-Trust Acquisition and Casino

Public Meeting-27 September 2012



Name: KR Palmer City of Residence: South Bend

Please return comment cards to front table when finished. If additional time is needed, comments may be mailed to:

Scott Doig, Regional Environmental Protection Specialist
Bureau of Indian Affairs-Midwest Regional Office
5600 West American Blvd, Suite 500
Bloomington, MN 55437

☒

Check box if you would like to speak
about your comments.

Are there any questions or comments about the proposed project?

Agree w/ the Tribal Grounds
DO NOT AGREE w/ the CASINO.

Section 6.0 Written Comments Received

From: David Pink [mailto:david.pink@att.net]
Sent: Tuesday, October 09, 2012 12:19 AM
To: Doig, Scott
Subject: Pokagon Band Tribal Fee-to-Trust Acquisition and Casino

Mr. Doig:

I have a few comments regarding the construction of any multistory building on the land in question as well as the ability for the area roads to handle any significant increase in traffic.

Recent construction of high density dwellings (adjoining Apartment Complex) has resulted in moving the surrounding ground water level up to the level that one home backing up against this property had to install a large commercial type pump in their basement which is running 24/7 just to keep water out of their basement. In the 37 years I have lived here our ground water level has come up approximately 14 inches. Requiring me to install a sump pump for my foundation drains which had previously been taken care of by gravity drainage since 1953.

Previous DNR studies have shown that a majority of the land in question could MARGINALLY support a one story single family dwelling. This report is a matter of public record.

The last three attempts to put high density dwellings on this land has resulted in studies stating that the area roads, Locust Road in particular, were insufficient for the anticipated increase in vehicle traffic. In fact, one of the concessions for the construction of the Apartment Complex was the elimination of an access drive connecting with Locust Rd., again a matter of public record.

The fact that the tribe has entered into a contract with a known developer of Casinos tells me that the Casino is far more than a maybe. After 40 years in business I have never heard of hiring a Project Manager and then finding something for him to manage. Project Managers are not hired unless there is a project that needs to be managed. A little more honesty in these matters would be greatly appreciated.

Basically this property should not be used for anything other than nature trails and limited single family dwellings.

There is also the question about the contaminated soil that is along the west edge of Locust Rd just north of the bypass (part of the land in question), which was generated by site work for the bridge. The contractor hired to remove the dirt refused to put the contaminated soil in his trucks – thus it remains between the road and the swamp. I am sure the swamp is totally capable of spreading the contamination.

David A Pink
3631 S Locust Rd
South Bend, IN 46614



**STATE OF INDIANA
HOUSE OF REPRESENTATIVES**

THIRD FLOOR STATEHOUSE
INDIANAPOLIS, INDIANA 46204

October 9, 2012

Ms. Diane Rosen, Regional Director
Midwest Regional Office, Bureau of Indian Affairs
5600 West American Boulevard, Suite 500
Bloomington, MN 55437
Telefax (612) 713-4401

Re: Opposition to Casino in North Central Indiana

Dear Director Rosen:

We are writing to express opposition to the recent proposal by the Bureau of Indian Affairs ("BIA") and the Pokagon Band of Potawatomi Indians ("Pokagon Band") to build a casino in North Central Indiana. The proposed action by BIA and the Pokagon Band to develop a Class III casino in South Bend, Indiana or Elkhart, Indiana severely undermines Indiana's long-standing policy that gaming operations be limited both in number and location.

The State of Indiana's policy toward casino gaming has been to statutorily limit where such facilities may be located. The Indiana Gaming Commission rigorously and continuously investigates the backgrounds of casino owners, operators, key employees, and vendors, and strongly regulates the day-to-day operation of the gaming facilities.

This proposed federal action will result in an expansion of gaming beyond the locations and licenses already authorized by the Indiana General Assembly. Native American gaming operations are typically not subject to regulation by state gaming authorities, which is inconsistent with our policy that gaming owners, operators, investors, employees, and vendors be thoroughly and continuously vetted. Likewise, the day-to-day operations would not likely be subject to regulation and oversight by the Indiana Gaming Commission. Furthermore, the potential negative impact on state and local government revenues also compels our opposition.

In our most recent fiscal year, the State of Indiana received \$829 million in gaming tax revenues from the thirteen (13) state-licensed and regulated casinos. Those tax dollars fund vital services such as K-12 education for Hoosiers. A portion of those tax dollars are also redistributed to the local communities that host gaming facilities and are used to pay for essential services and to fund infrastructure improvements.

1

Indiana's commercial gaming facilities pay an average effective tax rate of 38% of their gaming revenues to state and local governments according to a 2009 analysis by Indiana's Legislative Services Agency.

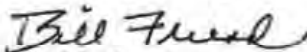
That same study also found that Native American gaming facilities in Michigan paid an average of only 3.6% of their gaming revenues to state and local governments. We are deeply concerned that a Native American gaming facility would negatively and significantly impact these state and local tax revenues.

We have worked hard in the Indiana General Assembly to take a measured and balanced approach to gaming. We feel the current system in Indiana where the General Assembly controls who may operate a casino and where it may be located is right for Hoosiers. For the foregoing reasons, it is our urgent request that the BIA immediately cease its efforts to take land-into-trust for the Pokagon Band's development of a Class III gaming facility in Indiana.

Sincerely,



Brian C. Bosma, Speaker
Indiana House of Representatives



Bill Friend, Majority Floor Leader
Indiana House of Representatives



Kathy Richardson, Majority Caucus Chair
Indiana House of Representatives

cc: Indiana Congressional Delegation
U.S. Secretary of the Interior Ken Salazar
Assistant Secretary of Indian Affairs Kevin Washburn
Governor Mitch Daniels

*State of Indiana**Senate*

Senator Jim Arnold
Minority Caucus Chairman
200 West Washington Street
Indianapolis, Indiana 46204
(317) 232-9532
sa@iga.in.gov

Committees:
Appointments & Claims, RMM
Homeland Security, Transportation & Veterans Affairs, RMM
Public Policy, RMM
Elections
Pensions & Labor

October 9, 2012

Ms. Diane Rosen, Regional Director
Midwest Regional Office, Bureau of Indian Affairs
5600 West American Boulevard, Suite 500
Bloomington, MN 55437

Re: Pokagon Band Tribal Village Proposal

Dear Director Rosen:

I hope my letter finds you well and in good spirits. I want to take this time to register my comments in regard to the establishment of a housing unit and healthcare facility development for the Pokagon Band Tribe.

I met with the Pokagon Band Tribe and discussed this matter at great length. After hearing about the development plan, I support the establishment of housing units and healthcare facilities because of the economic incentives it would bring to the area and the State of Indiana. However, the casino issue has completely dominated all discussions pertaining to this development proposal. Establishing a casino is not the top priority, nor is it in the foreseeable future. I find it unfortunate since housing and healthcare are the primary focus of this proposal.

As you may or may not know, it took many years to establish gaming in Indiana. Finding balance by instituting gaming facilities throughout the State of Indiana was at the forefront of this contentious issue. Establishing another casino would only offset the current balance the General Assembly has finally reached.

My purpose and intent is to support the Pokagon housing unit and healthcare facility development proposal. I cannot support a new gaming facility in this area. The development of housing units and healthcare facilities will prove to provide a positive economic outcome for the area and the State of Indiana.

Thank you for taking the time to read my comments. If you want to discuss this matter with me, please do not hesitate to contact me directly.

Sincerely,

Jim Arnold
State Senator
Democrat Caucus Chairman
Senate District 8

Scoping Comments

Ms. Ann Preissing
515 Monroe St.
South Bend ID 46601
8-29-2012

Dear Diane,

“Scoping comments for Proposed Pokagon Band tribal Village”! AND MORE ☺

For the 1st time since I’ve “existed” in this city, I see some “Light”! For 45 years I lived in my “home city” of Chicago, Ill.

It’s a long story, but I got “stuck” here—now over 20+ years.

The News Week Magazine stated that “South Bend is a dying city” I believe they’re wrong—IT’S A DEAD CITY!

I’ve been to Las Vegas, I saw what it was and what it’s become! This “city”? is a STATUS quo” Place-an old farmers city, 100s of years ago and its population can’t seem to shake that reality—

Now, nearly 70, and in a wheel chair, I still dream of Home—I walk a little! There’s no improvement that doesn’t also include a down side—I’m old NOT STUPID ☺

This city has blinders on.

An example:

18 years ago (being Sober and straight 40 years now in AA) I wrote a straight forward Drug Program for H.S. kids—Washington H.S. here was the only place that invited me in—

All, the Big Boys at the SB School Corp told me, “we have no Drug and/or Alcohol Problem here”—All I could say “to myself was WHAT!!??

Yes, I’m still full of spit and vinegar—(I like it! ☺)

Diane, I’m really glad to have your address for another reason—

I’m deeply, sadly, aware of “US” white idiots, in—human, beyond words cruelty—to the Indians—(I read a lot) please don’t laugh, but I’ve cried more times than I can count at the “continuous” segregation Indians live with—and when pressure, stress and anger and hurt are placed on top of each other for “centuries”—Alcohol can become a false-friend.

I love deeply—

I care deeply—

I’ve known all facets if addiction, from denial to acceptance.

Yes, in Chicago, I was an ADM of a Womens Half way House and many times gave my story, when asked, to open AA groups, Schools, and even to closed minded adults, that faced me and literally said “ITS JUST A LACK OF WILL POWER”

My response—Yep! Just like Diarrhea! huh!?

Can I help?

If you need to talk with others—Please do!

If their 1st question is—How much money does she want! I “live” on social security—

Depending on time involved and number of times and places—we can talk and settle on a flat charge!

(I’m not wanting to go to Europe for vacation! ☺)

My Programs were called WRITE TO KNOW-for the high schools—

and Bridge House—for the single moms Half way House!

Can I help?

If your 1st need would be to talk to others—If their 1st good—question is free? NO—But I’m not asking a lot—believe me—

You see Dear, my wealth was and remains in Gods Great love of us—not cash!

We’d all need to talk—Allow me to reach out—Allow me to teach—to love—to encourage—to be Honest—to care!

I have no phone right now—But if/when, I can help—please send me a note—

Thanks

Love,

Ann Preissing

I’m enclosing an article from the South Bend Tribune—

Re:

THEY WANT A GROCERY STORE IN DOWNTOWN SOUTH BEND—HOW DOES THAT SOUND TO YOU?

AP

I am St. Joseph County Commissioner Dave Thomas. And I want to formally welcome you to St. Joseph County, & thank you for coming.

Mr. Scott Doig, I formally welcome you today. If you arrived back in 1675, with Father James Marquette, the ancestors of the Pokagon Band of the Potawatomi Indians would have greeted you.

If you arrived in 1679, & 1681 with Robert De La' Salle, the ancestors of the Pokagon Band of the Potawatomi Indians would have welcomed you; signed the Council Oak Peace Treaty, and taught you the canoe portage from the St. Joseph River to the Kankakee River; which will take a traveler all the way to New Orleans. The Pokagon Peoples would have welcomed you because this is their home, and this is their nature.

VALLEY

This is St. Joseph County, in the St. Joseph River Basin, and it is the historic home of the Pokagon Band of the Potawatomi Indians. They founded this community, and are part of the diverse mixture of cultures which have built it, and desire to continue to develop it; all the while, preserving their people, their culture, and respecting Mother Earth.

The proposal of a local settlement which will include: housing stock, educational opportunities, health & wellness clinics, and a gaming casino will continue the rich history of the Pokagons sharing with all, for the betterment of all.

The economic impact will be a major and permanent boost to our local economy; and a magnet for more future development. The hundreds of construction jobs, and thousands of future operational positions will employ many workers, and feed many families. The payroll taxes, the gaming revenue, and the many other economic benefits are also most welcomed.

The Pokagon Band is the only federally recognized tribe in the State of Indiana. We welcome the expansions of their many local partnerships; which include, their generous support to local charities; this proposal; and their dedication of a 1,400 acre wetland, also here in St. Joseph County.

The Pokagon People ^{HAVE} ~~has~~ proven their strong commitment to the Michiana community and to Mother Earth. The Pokagon People are committed to excellence. They are good stewards and trusted friends.

I support their plans, and their operations, which will open the door, and allow access which will lead too many great and positive opportunities, and developments in the future; and I encourage you to aid us, so this project moves and proceeds, as swiftly as possible.

I hope that you enjoy your visit to St. Joseph County, and have the opportunity to learn about our proud history and our diverse culture. And also please recognize our unique setting on the world stage.

We are centrally located between: Chicago, Detroit, and Indianapolis; easily accessible by: plane, train, or automobile; served by the Indiana Toll Road running east & west; and the new US 31 running north & south.

We are the home to many national & international corporations, and destination sites. In addition to the priceless Studebaker Automotive Collection, we are the home of the world famous University of Notre Dame, founded strongly in part by the wisdom and generosity of Chief Leopold Pokagon, for whom the Pokagon Band is named.

In future visits please join us to "cheer" at a Notre Dame Football game, or visit one of our many other special attractions. But most importantly, on future visits, please come to see, and witness the great progress in the Pokagon Band's development, which we please move forward today.

Thank you.

LET US IGNITE THE SPARK
FOR THE POKAGONS,
WHO ARE THE
KEEPERS OF THE FLAME.

Oct. 6, 2012

BUREAU OF INDIAN AFFAIRS
PROPERTY MANAGEMENT OFFICE

Dear Pokagon Band of the Potawatomi Tribe,

I am a resident of St. Joseph County (in Osceola), Indiana. I am responding with regard to environmental impact of the proposed development near South Bend, IN.

I, my family, and the community of people I work with want to welcome you to build in our county. Our hope is to work together as good neighbors who respect one another and seek each other's well being.

We believe that the plan for residential and community buildings is a good one.

However, I, my family, and the community of people I work with petition you not to build a gaming project (casino or slot-machines building, etc.). Here are our reasons:

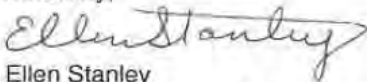
- (1) Gambling projects are a negative-sum business—most people give money and receive less or nothing (that is how a casino's profit is made).
- (2) Pathological and problem gamblers in the United States cost society approximately \$5 billion per year (average \$100 million per state).
- (3) The National Gambling Impact Commission reports a significant trend indicating addiction doubled in many populations within 50 miles of casinos.
- (4) Some studies show that each problem gambler (a.k.a. "disordered gambler") negatively affects the lives of 7-10 other people.
- (5) There is a direct link between problem gambling and an increased incidence of divorce, child abuse, domestic violence, crime, bankruptcy, and suicide.

We believe you want to come with integrity and build wisely for a strong future for your families and for your neighbors.

However, to bring a gaming project would be a kind of "robbery" in taking so much money with most people getting nothing. It can increase addictions in a 50-mile radius, which increases crime, family difficulties, and suicide. This would bring scars to you and to us.

We petition you to NOT bring a gaming project to St. Joseph County or Elkhart County.

Sincerely,



Ellen Stanley
Citizens for Community Values of Indiana Board Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

BUREAU OF INDIAN AFFAIRS
INDIAN REGIONAL OFFICE

12 SEP 21 PM 1:05

SEP 18 2012

REPLY TO THE ATTENTION OF:

E-19J

Diane Rosen
Bureau of Indian Affairs
5600 West American Boulevard
Suite 500
Bloomington, Minnesota 55437

Re: Scoping Comments on Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino Project, South Bend, St. Joseph County, Indiana

Dear Ms. Rosen:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Notice of Intent (NOI) to prepare an environmental impact statement (EIS), found in Vol. 77, No. 165 of the Federal Register, dated August 24, 2012. The NOI was prepared by the Bureau of Indian Affairs (BIA). We are providing scoping comments pursuant to our authorities under the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), Section 309 of the Clean Air Act, and Section 404 of the Clean Water Act.

The Pokagon Band of the Potawatomi Tribe proposes conveyance of 164.22 acres of land within the municipal city limits of South Bend, Indiana, for creation of a Tribal village, which will include forty-four housing units, a multi-purpose facility, health service, and other Tribal government facilities. The proposed project also entails construction of a Class III gaming facility with a hotel, restaurants, meeting space, and a parking garage.

Based on our review, we have comments relating to environmental justice, green infrastructure, wetland impacts, and general information, as stated below:

Environmental Justice

The draft environmental impact statement (DEIS) should include a thorough analysis of environmental justice concerns, such as disproportionate impacts and meaningful involvement by the community. We urge BIA to consult with Tribal leaders and members to discuss any potential issues that may occur as a result of the proposed action. The DEIS should also discuss how the proposed project will benefit the Tribal community and the local community.

Green Infrastructure

The DEIS should discuss BIA's compliance with Titles III, IV, and V of the Energy Independence and Security Act of 2007, and Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance (LEED). We recommend using energy efficient materials for building construction, including south-facing windows, motion-activated lighting, and skylights. We highly encourage use of renewable energy (solar, geothermal, etc.). For a list of non-residential rebates and grants in Indiana, see the following website: <http://www.dsireusa.org/incentives/index.cfm?re=0&ce=0&spv=0&st=0&srp=1&state=IN>. The current Federal rebate for non-residential entities is 30%, and other rebates are available for Tribal governments as well.

We also encourage BIA to construct bioretention as a measure to manage stormwater and to offset the proposed increase in impervious surfaces, such as the gaming facility and residential units. Bioretention structures, which includes rain garden, ponds, grass swales, etc., are low-cost features that help prevent flooding, provide habitat, and are generally aesthetically pleasing. To learn more about the benefits of installing bioretention, including some examples of existing bioretention, see the following EPA website: <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=72>

Wetland Impacts

If wetland impacts are expected, the DEIS should discuss how sequencing established by the Clean Water Act Section 404(b)(1) guidelines will be applied, namely, avoidance first, then demonstration of impact minimization, then mitigation for unavoidable impacts.

General Information

Thank you for providing a list of areas of environmental concern. The DEIS should not only include analyses of those areas of environmental concern, but should also evaluate impacts to air quality and surface water quality. Existing conditions should also be described. Additionally, please include in the DEIS a list of agency contacts that will receive the DEIS for review and comment.

We are available to discuss these scoping comments at your convenience. Please feel free to contact Mike Sedlacek of my staff at 312-886-1765, or by email at sedlacek.michael@epa.gov to discuss these comments.

Sincerely,



Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance

October 9, 2012
3447 S. Locust Rd.
South Bend, IN 46614

To whom it may concern,

As a property owner along the proposed Indian residential/commercial/casino development in South Bend I am writing to express two concerns.

#1. The bypass traffic noise. This issue will directly effect the quality of life for your residents. Our property is within 3/8th of a mile of the bypass - across the fields of your newly acquired property. We have lived here for over 40 years before the bypass was developed as extensively as it is today.

Our "peace and quiet" country setting is constantly violated with the traffic noises from the bypass, especially the staccato reverberations of the large commercial trucks that use the bypass. As semis coast down the bypass toward the black farm grounds in the valley north of Prairie Avenue (also known as State Road 23) they use a technique called engine braking or jake braking to control their speed. Just a short distance from the Locust Road/bypass overpass is a continental divide along the bypass. On your proposal this is beside the most southeastern point of your property on Locust Road. The area is proposed to be a residential area in your plan. As trucks cross that high point, they use the engine braking technique to slow down and control their speed. This technique creates the loud machine gun type reverberations that carry over the properties along Locust Road. This seems to be the case especially if the semis are slowing down to exit onto Prairie Ave. going either to the ethanol plant or the commercial truck depots north on Olive Street. (Locust Rd. changes names at Prairie: south is Locust Rd. and north is Olive Street). The noises are especially loud during the summer when the windows are open - but unfortunately can be heard during the winter even when windows are shut.

At one point the state built sound barriers built along another subdivision further south and east of U.S. 31 bypass connectors to help buffer the noise. A city council man said at the time that our area was not deemed populated enough for the state's consideration of barriers along our area.

In your planning you might want to consider this issue. Either noise barriers or at the minimum help the neighborhood get the state to post No Engine Braking signs along the bypass between Locust Road and Prairie Ave. (St. Rd. 23)

#2 The second issue is a quality of life issue to some extent too. We missed your September meeting as we were vacationing in the East but as we traveled we picked up an idea.

There is an electrical high tension easement that runs along your eastern property line and parallels Locust Road which was clear cut a few years back. When we were out east we saw that several of these easements had been planted with pine trees for Christmas trees. Tree "farming" could not only add a "cash crop" to your community but would also supply your residents with work. Since much of the tree shearing (shaping) is done during the summer - older youth could be trained and have worthwhile activity during the summer months off school. This seems like a positive the entire community neighborhood would support and good for the environment too.

I will finish with saying that my husband and I drove to Dowagic to visit your community. The government center is beautiful and the residential area quite nice. A development of that quality could add value to some of the houses in the area. Hopefully, we can all work together for the betterment of the entire community.

Judith Overmyer



STATE OF INDIANA
HOUSE OF REPRESENTATIVES
THIRD FLOOR STATE HOUSE
INDIANAPOLIS, INDIANA 46204

12 OCT 11 PM 1:07

10/12/12 Environmental / Deputy Trust
SCOTT D. PELATH
1824 MANHATTAN STREET
MICHIGAN CITY, IN 46360

COMMITTEES:
COMMITTEE ON WAYS AND MEANS,
RULES AND LEGISLATIVE PROCEDURES,
PUBLIC POLICY

Ms. Diane Rosen, Regional Director
Midwest Regional Office, Bureau of Indian Affairs
5600 West American Boulevard, Suite 500
Bloomington, MN 55437

Re: "Scoping Comments for Proposed Pokagon Band Tribal Village"

Dear Director Rosen:

I strenuously oppose the Bureau of Indian Affairs (BIA) and the Pokagon Band of Potawatomi Indians' proposal to place 164-acres into trust in South Bend, Indiana for the purpose of building a new casino. I stand against an alternate site in Elkhart, Indiana, just as strongly.

Quite simply, your allowance of another casino in Northern Indiana would destroy jobs in my community.

Our region's gaming market -- which already includes the highly successful Four Winds casino in New Buffalo, Michigan -- is largely saturated. Therefore, it is natural for anyone to ask what overarching societal good is served by taking jobs from one area and bureaucratically transferring them to another.

Moreover, BIA and the Pokagon Band's plans to develop a Class III casino in South Bend, Indiana, or Elkhart, Indiana, blows a hole in long-standing state policy that limits gaming operations to specific locations. Indiana law confines Class III gaming to 13 licensed facilities in certain designated communities, and changes in these locations have been enacted only after protracted policy consideration in Indiana's legislature.

Current state law does not authorize a riverboat gaming operation or a racetrack gaming operation in St. Joseph County (South Bend) or in Elkhart County (Elkhart). In fact, the state legislature has never even considered doing so.

Our state statutorily limits where such facilities may be located. Our Gaming Commission rigorously and continuously investigates the backgrounds of casino owners, operators, key employees, and vendors.

We directly regulate the day-to-day operation of gaming facilities. And most of all, we assist all Indiana residents and local communities through wagering and admissions taxes that are based on a fixed number of authorized casinos.

This proposed federal action will expand gaming beyond the locations that our state has authorized. Instead, we will have gaming operations that are not subject to any consideration of what is best for Indiana.

In State Fiscal Year 2012, the State of Indiana collected \$829 million in revenue from our state-regulated casinos. These tax dollars help fund K-12 education for Hoosiers kids, essential services to the indigent and disabled, and the general safety of our citizens. Some of these dollars go to local communities whose manufacturing economies have suffered from unfair, worldwide competition.

According to a recent analysis from Indiana's non-partisan Legislative Services Agency, state-regulated casinos pay about 38% of their revenues to state and local governments.

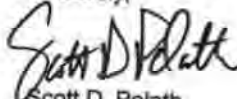
At the same time, that same study found that tribal-run facilities in Michigan contributed an average of only 3.6% of their gaming revenues toward the public good.

In order to have a revenue-neutral impact under such conditions, a tribal-run casino would have to generate more than 10 times the gaming revenues that would be displaced from existing Indiana casinos. Under current market conditions, that is a fantasy.

And this is before we even consider the human cost of people in Michigan City and LaPorte County who might have to look for a new job.

I respectfully request that the Bureau of Indian Affairs immediately cease its efforts to take land-into-trust for the Pokagon Band's development of an Indiana casino. In this case, the right thing is to do no harm.

Sincerely,



Scott D. Pelath
Assistant Minority Leader

CC: Indiana Congressional Delegation

U.S. Secretary of the Interior Ken Salazar

Assistant Secretary of Indian Affairs Kevin Washburn

Governor Mitch Daniels